

THE AMERICAN PROSPECT

LIBERAL INTELLIGENCE

JANUARY/FEBRUARY 2008

AFTER BUSH:

What the Democrats
could—and should—
do in 2009 to change
the country and
save the planet

DORIS KEARNS GOODWIN ON LEADERSHIP

CHRIS MOONEY ON CLIMATE CHANGE

PAUL STARR ON STRATEGIC CHOICES

ROBERT B. REICH ON TAXES & BUDGET

ROBERT KUTTNER ON LABOR & TRADE

**PLUS: JEFF FAUX, EZRA KLEIN, MARIA
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THE AMERICAN PROSPECT

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"Every revolution was first a thought in one man's mind, and when the same thought occurs to another man, it is the key to that era."

—RALPH WALDO EMERSON

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From the 2007 photojournalism award-winning series, "AIDS Orphans." Photo: Mike Stocker

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The Long and the Short

THIS MONTH, THE *PROSPECT* GOES BOTH LONG AND short. In the print magazine, we address what the Democrats, if they win both the White House and Congress next year, should do about the profound, long-term challenges confronting America. Online, we are providing

continuous reporting and commentary on both parties' primary contests, to which end we are dispatching our reporters to all the key early states. You can find all our election coverage at www.prospect.org/election.

Should the Democrats take the White House next year, the new president may well have to begin by facing the kind of problem that we're not accustomed to thinking of as long-term: a recession. Economists are now giving even odds that a recession will soon be upon us. My own wager is that if the recession comes, it won't look like any of the recessions we've had since World War II. Indeed, ending this recession may require the kind of far-reaching economic reforms we've not seen since Franklin Roosevelt tackled the Great Depression.

Don't read that, please, as a prediction of breadlines or of financiers hurling themselves off skyscrapers (though any number of Wall Street CEOs have already been unceremoniously tossed out of their executive suites during the past few months of mortgage-market meltdown). My point is that after 35 years of dismantling the America that the New Deal built, our country now resembles in some perilous particulars the America that existed before Roosevelt became president.

Should recession come, it will be the first since 1929 to be precipitated by a financial sector that's unregulated, deliberately opaque, and fundamentally

dishonest. America's largest banks don't even trust each other these days, which is why interbank loans and other forms of liquidity are drying up. As for dishonesty, Goldman Sachs—by common consent, the smartest guys on the Street—seems to have hedged its mortgage-backed securities because it understood that mortgages were about to tank, even as it continued to sell those securities, no warning attached, to all manner of pension funds and other trusting investors. Climbing out of this recession will require regulating all the exotic structures that Wall Street's devised over the past 35 years to elude the regulations that Roosevelt put in place to avoid a repetition of 1929.

And should recession come, the next president may need to focus on a problem that no American president since FDR has really had to deal with: underconsumption. Over the past 35 years, American families have compensated for stagnant incomes by sending more members into the workplace and, more recently, by drawing on the rising value of their homes. But with both partners already working, home values tanking, and all our gains in productivity and income going, as they haven't done since before the New Deal, to the wealthiest

sliver of our society, the ability of Americans to spend their way out of recession ain't what it used to be.

The standard governmental fixes for our post-World War II recessions—loosening credit, upping spending on job-creating public projects, cutting this tax or that—all presupposed that our economy needed a stimulus, not a fundamental fix. To deal with the next recession, Democrats will need to reconcile themselves again to deficit spending, but the next president may also find that some of Roosevelt's more ambitious remedies, updated for current conditions, are required as well.

The strategy that Roosevelt had settled on by 1935 to rescue the country from the Depression was largely directed at boosting the incomes of average Americans. The National Labor Relations Act was intended—it's all there in the act's preamble—to increase union membership and, thereby, Americans' ability to buy more and expand the nation's aggregate demand. Social Security was similarly intended to boost seniors' capacity to consume. Roosevelt's incomes policy didn't fully take effect, though, until the government started gearing up for war at the start of the 1940s, creating millions of decent-paying defense-plant jobs.

*The ability of
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out of the next
recession ain't
what it used to be.*

With the ability of ordinary Americans to make a good living so eroded by the weakening of unions and the pressures of globalization, the next president, like Roosevelt, will need an incomes strategy, as well as a financial re-regulation strategy. That means, as Bob Kuttner argues elsewhere in this issue, promoting rather

than retarding the growth of unions, and creating good jobs as part of a major public project to make our economy environmentally sustainable. The long-term endeavor of creating a more just and green economy may perforce become the next president's short-term fix as well. **TAP**

— HAROLD MEYERSON



Sen. Kennedy's Wrong Turn

SEN. EDWARD KENNEDY voted against the confirmation of Chief Justice Roberts and Justice Alito because they did not share his political views and is now shocked—shocked!—that these Republican-appointed jurists have not ruled as he would have liked [“The Supreme Court’s Wrong Turn,” December 2007]. He ultimately urges “reform” so that never again may nominees skate through without having to answer senators’ tough questions.

But Kennedy’s proposed reform is nothing more than a litmus test related to specific pending or future cases—precisely what he says “should be avoided.” After all, Roberts and Alito testified at length about their views on *Brown v. Board of Education* and *Roe v. Wade*—though their support for the precedential weight of these cases does not imply support for racial quotas or unrestricted abortion (rulings against which Kennedy argues contradict the justices’ testimonies).

As for the pay discrimination case that jump-starts his article, Kennedy need

look no further than his own object lesson on American civics for a remedy to any perceived problems. If Congress doesn’t like how the Court decided a technical issue of statutory law, then it should pass a law changing the applicable rules.

In short, Kennedy’s attempt to conflate law and politics belies his call for “reform” of the judicial confirmation process: You’re already free to ask whatever questions you want, Senator, and to continue voting against nominees you decide haven’t been sufficiently forthright. Better yet, win a presidential election and propose nominees more agreeable to you.

ILYA SHAPIRO
Cato Institute
Washington, D.C.

KENNEDY’S PROPOSAL to require Supreme Court nominees to reveal their true natures by saying how they would rule on particular cases just shows how membership in the U.S. Senate addles the brains of otherwise-intelligent Democrats. Scoundrels such as Roberts and Alito will say whatever is required to satisfy the credulous.

The only real way to determine the characters of Supreme Court nominees is to examine what they have done in the past.

The real scandal is that Senate Democrats such as Kennedy failed to filibuster judicial nominations so far out of the American mainstream. Wouldn’t the Republicans be in a fix now if they had done that!

DAVID J. RAYMOND
Socorro, NM

Leaving Fewer Behind

DANA GOLDSTEIN’S article “Left Behind” [December 2007] casts much-needed attention on a crisis facing students of color and the resolve of one school district in Ossining, New York, to address it. It is a sad commentary on contemporary society that a school’s efforts to maintain racial integration and reduce racial disparities in academic achievement are now being challenged as undesirable or even illegal.

Much of the criticism of Ossining’s system misses the mark. Although socioeconomic factors are important, ignoring race in favor of income is not the answer. As Supreme Court Justice Kennedy wrote in his

opinion in the recent Seattle and Louisville voluntary integration cases, “The enduring hope is that race should not matter; the reality is that too often it does.”

Given this reality, one can only hope that the district can continue its efforts to provide equal educational opportunity for all of its students. The problem is not that there are school districts like Ossining but that there are not more like them.

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Letters to the editor should be sent to letters@prospect.org or mailed to The Editors, The American Prospect, 2000 L St., NW, Suite 717, Washington, D.C. 20036.

FROM THE EXECUTIVE EDITOR

IT’S 2009. A DEMOCRAT IS SETTLING INTO THE OVAL Office, and the party has strengthened its hold on Congress. With troops still in Iraq and the economy somewhere between shaky and tanking, what should the Democrats do? How much can they do? And what should and can they do right off the bat to win some validating victories and to pave the way for more fundamental change?

We’ve asked a distinguished collection of scholars, advocates, and *Prospectors* to ponder these questions and lay out some priorities should the Democrats finally be in a position to arrest America’s slide. Celebrated historian Doris Kearns Goodwin provides a primer on how transformative presidents built public support for transformative policies. *Prospect* co-editor Paul Starr, who conceived this issue, sifts through the strategic choices that will initially confront a new Democratic president. Our other authors argue for particular progressive policies and approaches on issues ranging from climate change to civil rights to restoring America’s standing among nations. Nor does this exhaust our discussion: We’ll have more such articles in forthcoming issues.

Elsewhere, *Prospect* columnist Mark Schmitt offers what I’m confident will become the definitive assessment of Michael Barone’s *Almanac of American Politics*, a venerable reference book that has both curdled and become less relevant with the passage of time.

— HAROLD MEYERSON

Up Front



NEVADA SAY NEVER AGAIN

When the Democratic Party chose Nevada as an early caucus state in summer 2006, there was sober talk of making the process more democratic (with a “small d”). After all, unlike lily-white Iowa and New Hampshire, Nevada has a diverse, growing population. Twenty-three percent of the state’s residents are Hispanic, and the Las Vegas congressional district is the fastest growing in the nation.

But Nevada, the new Athens, the cradle of deliberative democracy? What’s the spread on that one? Las Vegas, a booming gaming, prostitution, and tourism town, founded by Bugsy Siegel to be a city nowhere near a hill, dominates the state’s politics—not that politics looms large in its civic consciousness. For weeks, the new O.J. Simpson caper has captured all the headlines.

Worse yet, Nevada isn’t even holding a straight-up election; it’s convening those arcane, time-consuming caucuses that have proven so daunting that even in staid, deliberative Iowa, where people genuinely have nothing better to do, turnout has been as low as 6 percent of eligible voters. In Nevada’s back-of-the-pack caucuses in 2004, a scant 1 percent of state Democrats turned out. This time around, Nevadans will vote on Jan. 19, and what happens in Vegas will be beamed to the 46 states yet to vote. Depending on where the unions go, the smart money’s on Edwards, Ron Paul, or Wayne Newton.

RALLYING THE BASS

Mike Huckabee has been getting a lot of undeserved respect lately as a guitarist. CNN recently described him as “an ordained Baptist minister who plays guitar in a rock and roll band.” A New Hampshire weekly referred to him as “the governor on guitar.” Let’s be clear: Mike Huckabee plays bass. The blog “Hobbies for Huckabee” posted a picture described as “Mike Huckabee playing guitar” that was actually a picture of Mike Huckabee playing bass. Another pro-Huckabee site posted a YouTube video of Huckabee playing “Freebird” “on the electric guitar” which was actually Huckabee playing “Freebird” on bass, in a bloodless rendition that seemed designed to call Ronnie Van Zandt forth from the grave to unplug the amps.

Like most bass players, Huckabee started out playing guitar, and probably switched to bass after a bitter 3-to-1 vote against the

Mike-on-guitar idea from the other members of his high school rock band. By most accounts, Huckabee is a pretty good bass player, but please, America, let’s not unfairly place him on a pedestal that should be rightly reserved for guitarists.

FEITHLESS

Where’s Doug Feith when you really need him? The release of the National Intelligence Estimate on Iran surely brought home to Dick Cheney and his dejected neo band how much they miss Feith’s intelligence-on-demand operation, which Paul Wolfowitz installed at the Pentagon in the heady days leading up to the Iraq War. Actually, it was a counterintelligence operation, since its mandate was to counter any real intelligence on Iraq with its own tendencies and, when the occasion demanded it, ludicrous

interpretations of such matters as the links between al-Qaeda and Saddam—whatever it took to justify the war. The neos always had trouble with both the intelligence community and the reality-based community; now, in a conspiracy so vast it boggles the neo mind, they confront a reality-based intel-



ERIC PALMA; LANDOV

**THE QUESTION:
THE REPUBLICANS
HAVE EMBARKED ON
A "GOP REBRANDING"
PROJECT. ANY
SUGGESTIONS?**

"Rich people and angry people coming together"

—**David Halperin**,
former speechwriter
for Bill Clinton and
Howard Dean



"GOP: Gay. Out. Proud."

—**Rick Perlstein**,
senior fellow at
the Campaign
for America's
Future; blogger,
The Big Con

"20 percent less corrupt than last year"

—**Michael Gehrke**,
Research Director,
the Democratic
National Committee

ligence community. Oh, for the days of faith-based, or Feith-based, facts.

DENIALS "R" US

How best to distract yourself when the Senate Ethics Committee is looking into your conviction in a sex sting and your hometown paper is publishing the alleged details of your gay sex life, the existence of which you baldly deny? For Idaho senator Larry Craig, the answer was to fly to Bali, Indonesia, this December to take part in the United Nations summit on climate change. As the designated Republican from the Senate Environment and Public Works Committee, Craig took his growing fluency in denials to a global scale: His mission was to subvert as best he could the efforts of the world community to combat climate change. Back in D.C., the senator has been busy of late fighting Senate leadership on global warming legislation, alleging that committee chair Barbara Boxer's climate bill amounts to "all-pain, no-gain" and would "revert the United States to a developing country." Give Craig points for consistency, at least: In macro as in micro, he's denying on all cylinders.

SPEAKING OF CRAIG

In early December, *The Idaho Statesman* published an extensive report detail-

ing the claims of two men who said that they'd had sex with Larry Craig, and two more who said he'd propositioned them. One of the claimants, former prostitute Mike Jones, said

that Craig paid him for an hour-long sexual encounter three years ago. This is the same Mike Jones whose revelations of such encounters with another right-wing leader, the Rev. Ted

Haggard, led to Haggard's resignation as president of the National Association of Evangelicals—making Jones the unchallenged Zelig of Clandestine Gay Sex with Conservatives.

PARODY by T. A. Frank

What's OUT, What's IN, in Washington 2008!

OUT: Specs with no rims. What do Colin Powell, Donald Rumsfeld, Dick Cheney, and Larry Craig have in common? That's right: rimless eyewear. Any man who places that on his nose and shows up to work in 2008 had better start packing up and looking for speaking engagements and AEI sinecures. Are you destroying the country and/or harassing restroom users? We've placed a tracking device in a pair of rimless glasses and placed them near you, because you're sure to put them on.



IN: Specs-free look. Washington won't be making passes at men who wear glasses. Special specless stars include Robert Gates, Barack Obama, Dick Lugar, and David Souter. Whether it's the judicious puppy-brown eyes of Souter, or the shrewd glare of Gates—whose crimson blush with subtle sheen radiates outwards like a force of nature—the specs-free look has something to offer nearly every man of stature. These men know that in 2008, Washington will be seeing a seismic shift in eyewear, and this is one quake they're planning to survive.

OUT: Raspberry-red lips. Liddy Dole has raspberry-red lips, which might look the same as cherry-red lips, but which do not fool the Washington insider. They physically say, "I am excited to pick up an assignment to the Small Business Committee." But, mentally, they lie.



IN: Cherry-red lips. Dianne Feinstein, chair of the Rules and Administration Committee, has the lips in the Senate right now, with a bold, sheer cherry color that says, "Listen. Sit down. Get sworn in. I'm going to rule and administrate you."

OUT: Thick, ebony hair on low-hairline forehead. Alberto Gonzales was hot in 2007, but post-resignation and perjury investigation, rich, dark hair needs a breather, says Chaz Charlton, Pentagon hair consultant.



IN: Downy whites. Look for a softer palette in 2008, with more grays, whites, and balds. "With pale wisps resting softly atop pale domes, Dick Cheney, Mike Mukasey—they have it right now," says Charlton. "No Washington combination is as timeless and popular as white hair on a white man."

**HOT
NOT**



Cool Warriors

BY MARK SCHMITT

ACCORDING TO A WIDELY HELD THEORY OF AMERICAN politics, Democrats and liberals are doomed whenever foreign policy and national security are the primary concerns of voters. After all, Bill Clinton—the only two-term Democratic president since Franklin D. Roosevelt—

won his elections at a time when foreign policy and national security mattered less than at any time since the 1930s. As soon as the world crashed back into our lives on September 11, 2001, Republicans regained dominance.

But there is another theory, articulated in historian H.W. Brands' short 2001 book, *The Strange Death of American Liberalism*, which holds that liberalism was dependent on the Cold War and was buried with it. Brands points, for example, to the fact that much of the momentum for the civil-rights movement came from a worry, as the Justice Department said in its brief in *Brown v. Board of Education*, that "racial discrimination furnishes grist for the Communist propaganda mills." Sputnik led to the first federal investments in education. The Peace Corps abroad and Vista at home were the two faces of John F. Kennedy's liberalism. Cold War liberalism linked our sense of mission in the world with our obligations to one another at home. But by the 1980s, without active worries about an alternative ideology or a nuclear rival beating us in the race to space, Americans could turn away from a collective sense of national purpose to the individualism and laissez-faire of the conservative era.

For a moment after September 11 (which, by coincidence, is when Brands' book appeared), there was reason to think that the crisis would bring us together with a new appreciation of government and sense of mutual obligation. But it

didn't happen, and Bush's presidency can be understood as an effort to make damn sure it didn't: the single-minded focus on military solutions, the refusal to call for shared sacrifice whether in the form of taxes or a draft, even the insistence that our enemies "hate us for our freedoms," since if that's the case, there's not much to be gained by improving those freedoms.

But after watching a few Democratic presidential debates and reading the candidates' speeches, I noticed something interesting. On domestic policy, such as health care and education, all the candidates have been pretty good, sometimes innovative, sometimes stumbling a bit, especially because most are still too timid to confront the need for taxes. But on foreign policy, all the major candidates have nuanced, sophisticated visions that cover the intersecting spheres of security, globalization, human rights, climate change, and energy, and that link international challenges to domestic issues such as education and job-creating public investment. They show an understanding of the complexity of Iranian politics and of the Catch-22s of Iraq. All appreciate that economic developments, notably the emergence of

China and India, will matter more to our lives than terrorism, yet none fall into the crude assumption that our prosperity depends on keeping billions of people impoverished. They all appreciate that our actual conduct as a nation, and not just our image, determines our ability to exercise leadership in the world.

Their visions aren't all identical, of course, and Hillary Clinton's is significantly more security-focused and cautious, as is clear from her denunciation of Barack Obama for being willing to meet with leaders such as Venezuela's Hugo Chavez. But there's no denying that hers is a sophisticated, complete vision that integrates domestic and foreign challenges. Sens. Chris Dodd and Joe Biden and Gov. Bill Richardson have almost 90 years of experience among them on international issues; John Edwards seems to have mastered much about Russia and Iran; and Barack Obama's vision on global issues, including climate change as well as international engagement, has been as confident, daring, and prescient as his domestic policy has at times been clumsy and cautious.

By contrast, all the Republican candidates, with the exception of Ron Paul and sometimes John McCain, are like the monkeys given the choice between food and cocaine in that old experiment—they'll forego all other policy nourishment just to keep pushing the button that might deliver that September 11 feeling again.

The secret strength of postwar liberalism was not its tough stance against Communism (there were always tougher guys, like MacArthur and McCarthy) but the deep, nuanced vision of American leadership that brought together our global role with a vision at home of greater freedom and opportunity. We are at a moment where such a vision is needed again, and, fortunately, in this generation of leaders, we have it. **TAP**

*Cold War
liberalism
linked our
global mission
with our
obligations to
one another
at home.*

Reparations Anxiety

BY DANA GOLDSTEIN

LIKE SO MANY PAINFUL ISSUES OF RACE AND CLASS, the argument over slavery reparations hovers just beneath the surface of our everyday political consciousness, always ready to burst forth. Support for reparations wasn't always seen as radical. Back in the 19th century,

reparations were understood as reasonable public policy. After all, how could former slaves, who had been denied basic rights and education, integrate into the free economy and society without some help? Large-scale reparations were never granted, but the idea has never really disappeared from American culture.

Today the issue has become a sort of litmus test for black politicians, a way of determining if they are too radical for the white electorate. Last July during the CNN/YouTube Democratic debate, Barack Obama was asked if African Americans would ever receive slavery reparations. Clearly prepared to answer this exact question, Obama responded, "I think the reparations we need right here in South Carolina is investment, for example, in our schools." The crowd applauded.

Given that Obama needed to appeal to the nearly two-thirds of African Americans who support reparations, as well as the 96 percent of white Americans who oppose them, it was a skillful pivot. But Obama isn't the only one to conceive of support for struggling public schools as a form of slavery reparations. Last spring, my alma mater, Brown University, announced that after a three-year study of its founding family's participation in the 18th-century and 19th-century slave trade, it would atone by raising a \$10 million endowment for the local Providence, Rhode Island, public school district, one of the most troubled in the country. Some reparations advocates criticized

the plan, saying it doesn't do enough to help African American descendants of slaves. Although almost 90 percent of Providence public school students are nonwhite, just 22 percent are black.

Nevertheless, the failure of America's urban public schools certainly should be understood as a legacy of discrimination. Three-quarters of children in the Providence schools live in poverty. Rhode Island ranks among the top three states dependent on municipal property taxes to fund education, a regressive system that disadvantages city schools. The Brown endowment is expected to eventually yield an annual payout of \$500,000. But the uncomfortable truth is that while increased funding for urban districts is crucial, it isn't enough. To truly repair the educational legacy of slavery, we must integrate our public school system.

Nationwide, two-thirds of black children attend schools with few or no white students. These days, caring about school integration is seen as letting the political perfect be the enemy of the policy good. But Providence—like many other cities across the nation—is geographically contiguous with affluent suburbs that boast of nearly all-white public schools. It isn't accidental that the funding structure of

our education system re-creates disparities in housing. And it needn't be so.

Civil-rights advocates in Hartford, Connecticut, have been fighting for decades to regionalize their county's highly segregated public schools. After they won a crucial state Supreme Court case in 1996, a program of voluntary transfers was set up between inner-city Hartford and its suburbs. A lottery system gave some suburban kids slots in high-performing urban magnet schools, while some city kids were bused to suburban schools. Initial results were positive. But only a tiny fraction of Hartford's poor, black, and Hispanic children have benefited. This past fall, the Connecticut Civil Liberties Union and the NAACP Legal Defense Fund returned to court to argue for expanding the oversubscribed, underfunded program.

Hartford has the potential to become a national model. No Child Left Behind allows students from failing schools to transfer within their district, but with so many families living in cities where almost every school is low-performing, it's no surprise that few take advantage of the option. NCLB does nothing

to equalize state funding between urban and suburban schools, or to encourage districting that brings children together across lines of race and class.

Congress was supposed to reform the troubled NCLB last year, but amid controversy over teacher merit pay and high-stakes testing, Democrats pushed the

final debate into 2008. The extra time gives Congress and the presidential candidates an opportunity to grapple with an important, yet mostly unspoken truth: Segregated schools weren't good enough during Jim Crow, and segregated schools aren't good enough today. That's a simple message sorely missing from our national education debate. Until we learn it, reparations through education reform will be nothing but a talking point. **TAP**

*To truly repair
the educational
legacy of slavery,
we must integrate
our public
school system.*

The Democrats' Strategic Challenge

If the Democrats win the election, can the next president and Congress make significant progress toward realizing liberal aspirations? Here's how—a road map for the start of a new America.

BY PAUL STARR

We may be on the verge of one of those moments when the underlying currents in American politics change directions. The conservative agenda is exhausted, public opinion has unmistakably swung away from the right, and although there are no guarantees about the outcome of the election, 2009 may find Democrats in control of both the White House and Congress. But if ever there were a time when liberals needed to be strategic about their goals and the ways of achieving them, this would be it.

In the past two years, anger against the Republicans has driven moderates and independents toward the Democrats and stirred an awakening among progressives. Yet all that energy will dissipate if after a Democratic victory at the polls, the new administration proves to be faltering and ineffectual. A durable shift in our politics will depend on what the new president and Congress are actually able to accomplish and whether they can frame those accomplishments as elements of a coherent vision.

The way forward for any new administration with progressive goals, however, will be difficult, if not positively treacherous. In 2000 Al Gore stood to inherit a strong economy, a bulging budget surplus, and a positive international climate; George W. Bush's successor will inherit a weakened economy, bulging deficits, and the Iraq War. Long-term challenges such as rising economic inequality and global warming will have gone unaddressed for eight years and seem more daunting than ever. Meanwhile, other problems such as immigration have become politically explosive, and new crises stemming from financial instability (as in the sub-prime mortgage meltdown), political instability (as in Pakistan), or terrorism could suddenly alter the entire landscape.

In the face of these risks, judgments about the priorities for action, framing of proposals, building of coalitions, and other matters of strategy will be critical in determining not just whether progressive aspirations are realized, but whether a new administration can govern at all. In one crucial respect, liberals are in a stronger position to influence strategic choices than they were the last time Democrats held control of both Congress and the White House. Since 1994, as the South has

moved to the GOP, Southern conservatives have faded as a force among congressional Democrats and in the party at large. Though important differences remain, Democrats have reached a broad consensus about such goals as ending the Iraq War, providing universal health coverage, and restoring greater progressivity to the tax system by sunsetting the Bush tax cuts for those making over \$200,000. The major Democratic presidential candidates strike different themes, but they have broadly similar positions on these and many other issues. A new president will have to build on such areas of agreement in order to get a fast start in turning around the everyday cynicism that Washington can't get anything done, let alone make a real difference in ordinary people's lives.

EFFORTS TO SCOPE OUT THE POSSIBILITIES of a new administration face two symmetrical dangers. Some ideas in circulation are so visionary as to be impracticable, while others are so limited as to be uninspiring. The first risk overreach; the second, letdown. To avoid both these problems, a liberalism with a strategic outlook ought to call for measures that are achievable in the short term and significant in their own right, while laying the foundation for more ambitious goals that may take a decade or longer to reach.

The short-term agenda should consist of proposals that a new administration could realistically bring to fruition in its first two years through legislation or via executive orders, appointments, and the federal regulatory process. How ambitious the two-year legislative agenda can be will hinge on whether the Democrats in 2008 are able to increase their current slim majorities in Congress. The wider their majorities, the bolder ought to be the new administration's short-term goals. If, against all odds, a political tsunami enables Democrats to capture 60 seats in the Senate, they might enjoy one of those historic moments, like 1965–1966, when it's possible to enact major legislation across a wide range of issues. But in the more likely event that the election leaves the Democrats short of a filibuster-proof edge in the Senate, they will have to be more selective and willing to compromise.

The outcome in the Senate is particularly crucial in deter-



THE NEXT PRESIDENT WILL HAVE TO TURN AROUND THE EVERYDAY CYNICISM THAT WASHINGTON CAN'T MAKE A REAL DIFFERENCE IN ORDINARY PEOPLE'S LIVES.

mining how much a new administration will have to rely on the budget reconciliation process as the principal vehicle for its domestic program. The advantage of incorporating policy change into the budget bill is that it cannot be filibustered and therefore requires only 50 votes in the Senate (with the vice president breaking a tie); the disadvantage is that Senate rules limit what the bill can include. In 1993, Bill Clinton was able to use the budget reconciliation process to bring about major changes in tax policy—including an increase in the Earned Income Tax Credit that was the largest expansion in anti-poverty aid in decades. But the budget bill couldn't accommodate health-care reform. In general, the smaller the Democratic majority in the Senate, the more the new president will have to use tax policy and already-authorized programs rather than calling for structural change that would need 60 votes.

There are, however, at least some substantive measures that the new administration may be able to front-load—proposals that enjoy wide familiarity and support in Congress, having already been extensively discussed, fleshed out in detail, drafted into legislation, scrutinized in hearings, and perhaps even put to a vote. Some bills will have passed in one house in a previous session or, as in the case of the reauthorization of the State Children's Health Insurance Plan (S-CHIP), passed both houses, only then to have been vetoed by President Bush. In 1965, Congress was set to move on Medicare, partly because Lyndon Johnson had campaigned for it in 1964. In 1993, family and medical leave was ready to be acted on—in part because Bill Clinton had campaigned in 1992 on the promise to sign

family-leave legislation. A new Democratic president in 2009 would also be on record in favor of measures that Democrats in the current Congress have tried to enact, such as the expansion of children's health insurance and a commitment to end the U.S. occupation of Iraq.

Nailing down early victories is crucial because more ambitious plans may get bogged down in disputes or derailed by crises, and because the Democrats need a record of promises kept, or at least down payments made, to go back to the voters at the midterm elections in 2010. The short-term agenda won't serve that purpose if it consists merely of symbolic measures; it has to provide for changes that materially improve ordinary people's well-being. And even if those changes fall short of the full aims that Democrats hope to achieve, they can be strategically successful if they create the institutional machinery and legal principles that can later serve as the basis of more substantial reforms.

CONSIDER TWO OF THE BROAD AIMS that any new Democratic administration would hope to pursue: reviving an economy of shared prosperity and confronting the threat of global

warming. The first calls for policies that raise the real incomes and well-being of working families after a long period when the gains from economic growth have flowed

almost entirely to the top; the second calls for a new posture toward energy and the environment requiring major changes in our way of life and new forms of international cooperation. In both cases, while some on the right still deny that the problems exist and that a change in direction is necessary, many others see the problems as so overwhelming that they doubt a change in direction is possible. The first imperative of new leadership in both areas is to overcome fatalism as well as denial and to lay out a credible path toward the twin goals of economic and environmental security.

How might a new Democratic administration make a convincing start in two years on efforts that will necessarily stretch out for 10 years and longer? An agenda for shared prosperity has to have at its heart economic policies that promote full employment—and if the economy enters a recession or worse, as some now fear, that objective will take priority in macroeconomic policy and, among other things, reinforce the case for accelerated federal investment in new infrastructure (energy, transport, schools, and so on). Early steps can also be taken to raise the two vital supports for low-wage workers—the minimum wage and Earned Income Tax Credit—and to strengthen the right of workers to organize and bargain collectively. But, as important as these objectives are, two sets of overlapping issues will be particularly crucial in strengthening economic security for the long-term: health insurance for all and support for young working families.

Health coverage has again become a core issue because

of the relentless rise in medical costs and its wide ramifications, especially for the fate of the employment-based insurance system. Costs are rising far more rapidly than general inflation or real wages: The average total insurance premium for family coverage now runs over \$12,000 (just about what a minimum-wage worker makes in an entire year) and is projected to pass \$21,000 in 2013. Unsurprisingly, employers have shifted costs to workers, the proportion of jobs that come with health benefits has fallen, and the number of uninsured has grown—according to recent figures, to about 47 million.

Being uninsured has also become a more economically perilous condition. In the past, doctors and hospitals charged low-income people lower rates on a sliding scale, but now that insurers negotiate discounts, health-care providers are imposing their highest charges on the uninsured. And as a result of what a recent *Business Week* cover story called the “medical debt revolution,” providers have begun turning over unpaid bills to aggressive collection companies charging usurious interest rates and taking advantage of the new bankruptcy law that makes it difficult for people overwhelmed with debt to start over.

Health care is not only a central issue in the Democratic presidential race but also one that commands a substantial amount of agreement, except on one critical point. The proposals for reform put forward by Hillary Clinton, John Edwards, and Barack Obama converge on several basic elements. All seek to make coverage universal or nearly so, not by establishing a government-run, single-payer system, but by providing Americans with a choice of private and public health plans. To make that choice affordable, all three candidates would finance subsidies for coverage by ending the Bush cuts for high-end taxpayers, and all would create a public insurance-purchasing pool that would include a Medicare-like public plan as one option. Finally, all would set rules for insurers requiring them to accept subscribers without pre-existing-condition exclusions and limiting premiums for people at higher risk of illness.

The key difference among the candidates is that both Clinton and Edwards would require everyone to carry insurance coverage, while Obama would require coverage only for children. Without an individual mandate for adults, however, other aspects of Obama’s plan collapse. Insurers cannot be required to ignore pre-existing conditions if people can just wait to buy coverage anytime they’re sick. Obama claims to want to bring the costs down first in order to make coverage affordable, but his plan would make insurance more expensive by giving healthy people an incentive not to pay for it until they need it.

Obama’s opposition to an individual mandate, however, is probably symptomatic of a wider reluctance to require people to pay for health insurance and indicates how difficult it will

be to get the 60 votes in the Senate needed to pass universal coverage. Even if he is not the next president, the Illinois senator may well have established the outer limits of what a new administration can hope to accomplish in health care in its first two years. The Democrats carry a peculiar historical burden on the issue. The next Democratic president, especially another Clinton, cannot afford to propose a comprehensive reform plan and come up with nothing. There has to be an achievable Plan B.

Unlike the 1993 Clinton plan, the next Democratic effort at health-care reform doesn’t have to come in one package. A new administration could try to nail down a major expansion of coverage through S-CHIP and Medicaid in the president’s first budget. A separate bill could establish the institutional machinery for a reformed market, including the creation of a public insurance pool and Medicare-like public plan. That bill or a third one could require parents to see to it that their children have health coverage—with the help of state programs and federal subsidies.

As a step toward coverage for all, universal coverage for children has much to recommend it. Children are the least

DEMOCRATS CARRY A PECULIAR HISTORICAL BURDEN ON HEALTH CARE. TO PROPOSE COMPREHENSIVE REFORM AND COME UP WITH NOTHING WOULD BE A DISASTER.

expensive group to insure, and the development of S-CHIP has already taken us a good part of the way. Health care for children also has a payback in greater productivity and lower costs later in life. The requirement for coverage is easier to justify for children than for any other group. As a society, we have both a moral responsibility for the young and an interest in their being able to contribute productively when they grow up. The same concerns that justify state-mandated education justify mandated health coverage.

Covering all children could also build public confidence in taking the next step toward universality, which as a practical matter will be a lot easier to achieve if one of the thorniest problems in an employment-based system—how to pay for the children of low-to-middle income workers—is out of the way. For example, it would be easier to pass a requirement for employers to pay for coverage if that mandate involved the employee alone under a system in which firms could buy into an already-established purchasing pool.

Universal health coverage for children would also advance a related interest in improving economic security and opportunity for the young. Many of the pressures reshaping the American economy in recent decades have come to bear the hardest on America’s youth and young families. After World War II, through the GI Bill and the expansion of education, America invested in the generation returning from the war, and the long era of prosperity that followed created lots of opportunity for young families to move into the middle class. In recent decades, though, social spending has tilted away

from the young; jobs that provide a middle-class standard of living have become harder for young workers to find; and the conflicts between work and family life have intensified as both spouses work full-time. America has failed to respond to these changed conditions, and it shows: Last year, in a UNICEF study of the well-being of children and adolescents in 21 rich countries, the United States ranked next to last.

We need a new generation of social policy—what I’ve elsewhere called a “new deal for the young” or a “Young America” program. The basic premise is that a program that serves young people also serves the country: An increasingly unequal society that exposes so many of its young to poverty and insecurity cannot be the strong and prosperous nation that Americans want it to be. One element of a Young America program that already commands a wide consensus among Democrats is federal support to the states for access to early childhood education—not custodial day care, but high-quality preschool programs for four-year-olds to ensure they enter kindergarten ready to learn. Along with universal health coverage for children, “universal pre-K,” as it’s called, would be a major investment in the nation’s future.

And it’s precisely a concern for our future security that motivates the growing movement to confront climate change and begin the transition to a new energy economy, which would also have the happy effect of reducing our dependence on foreign oil. As in health-care and family-related policy, the leading Democratic presidential candidates and congressional Democrats have substantially overlapping positions. The centerpiece in domestic policy is a “cap and trade” system for greenhouse-gas emissions that would authorize the federal government to set a national cap on total emissions and to assign or auction allowances to individual firms, which could then trade any amount they didn’t use as a result of better pollution controls. This system—the same kind we’ve used to control air pollutants that contribute to acid rain—is the most efficient way to reduce the emissions that contribute to global warming.

Enacting a cap-and-trade system will require compromises. The vital step is to put the framework in place, while negotiating international agreements to limit climate change. In line with those agreements, Congress can periodically adjust both the total cap on emissions and the proportion that are auctioned off rather than given away. To the extent allowances are auctioned, the policy will also generate a stream of revenue to support research into alternative fuels, investments in energy efficiency, and other steps toward a clean-energy economy. And as part of a shared-prosperity agenda, much of the revenue raised from the auctions can be returned to consumers in the form of low-income energy assistance.

HOW TO PAY FOR NEW POLICIES? One of the neat features of cap-and-trade is that the same regulatory system limiting emissions also generates the revenue needed for complementary public expenditures. Ending the Bush cuts in income and estate taxes at the high end could contribute much of the revenue needed for other programs such as expanded health-care coverage. Congress should also shut off the loopholes

that have allowed some of the wealthiest people in America—hedge-fund and private-equity firm partners—to pay income taxes at a 15 percent rate.

A new Democratic president is going to have to be careful, however, about proposing one tax increase after another; it would be a strategic mistake, for example, to try to eliminate the earnings cap in the payroll tax for Social Security, because the program does not face any urgent crisis and there are other ways to deal with its long-term financing. Medicare poses more serious long-term problems, but these reflect the overall problems of health-care inflation that require system-wide change. In the long run, either we impose tighter financial controls on health care, or we find new ways of paying for it, such as a value-added tax. A new administration should not take on this problem in its first two years, but it can begin laying the groundwork for new thinking.

For the immediate future, undoing the Bush era will be good fiscal policy in itself. Like the end of the high-end Bush tax cuts, ending the Iraq War should contribute toward a better fiscal balance. But, after Bush, a new administration should not be intimidated by conservatives into insisting on a balanced budget. A modest deficit on the order of 1 percent of gross domestic product is not a problem, particularly if the money goes toward new investments in the young or in new sources of clean energy that serve the interests of future generations.

Repairing the errors of the Bush era and meeting the demands of new crises could consume the next president. And there are difficult issues such as immigration that the president and Congress will need to address even at the risk of further arousing ugly divisions in the country. A president who can evoke the better angels of our nature may be able to summon the nation to overcome those divisions. But if the next administration is to succeed in a lasting way, it has to show some real progress in its first years in addressing the challenges that loom over our future. A new commitment to America’s young—exemplified in universal health care for children and universal pre-K—and a system to address climate change and begin the transition to a new energy economy wouldn’t be a bad start.

At the close of his speech announcing the signing of the nuclear test-ban treaty with the Soviet Union in 1963, President Kennedy quoted a Chinese proverb, “A journey of a thousand miles must begin with a single step.” I was 14 years old at the time, listening to Kennedy on the radio at a summer camp, and I probably remember those words only because my mother, who was an activist in the Committee for a SANE Nuclear Policy, had taken me to protest marches against nuclear testing in what seemed like a hopeless cause. Amazingly, however, it turned out not to be hopeless: Here was the president announcing a ban on above-ground testing and suggesting it was just a first step toward lifting the shadow of nuclear war.

Now we also face grim threats, and there are many among us who doubt anything can be done. Perhaps the president who takes office in 2009 will astonish them, too, by taking the first steps in a new journey. **TAP**

A Conversation With Doris Kearns Goodwin

*Great presidents build support for transformative change.
What can the next president do to revive a sense of common purpose?*

Historian Doris Kearns Goodwin is the Pulitzer Prize-winning author of several distinguished works on the great progressive presidents, including *Team of Rivals*, on Lincoln and his Cabinet; *No Ordinary Time*, on Franklin and Eleanor Roosevelt and World War II; *Lyndon Johnson and the American Dream*; and *The Fitzgeralds and the Kennedys*. Prospect co-editor Robert Kuttner talked with Goodwin about presidential leadership. They spoke at her home in Concord, Massachusetts, near the spot where the American Revolution began.

Robert Kuttner: You've written extensively about the great transformative presidents, Franklin Roosevelt, Abraham Lincoln, Lyndon Johnson, and the promise of John Kennedy. Considering all the damage that has been done to the very idea of a collective good, the task facing the next president will go far beyond the normal challenge of finding the votes to legislate. For progress to be made, this would have to be one of those periods of transformation in how public opinion views America. How should the next president think about this enterprise of leadership?

Doris Kearns Goodwin: History suggests that unless a progressive president is able to mobilize widespread support for significant change in the country at large, it's not enough to have a congressional majority. For example, Bill Clinton had a Democratic majority when he failed to get health reform. When you look at the periods of social change, in each instance the president used leadership not only to get the public involved in understanding what the problems were but to create a fervent desire to address those problems in a meaningful way.

I'm working on a new book on Teddy Roosevelt and the muckrakers. He faced a conservative Congress. But the muckrakers created, in the middle class especially, an understanding of what had to be done in conservation, in food and drug legislation, in the regulation of the railroads. They revealed in long, factual, investigative pieces the way in which Standard Oil and the trusts were constricting opportunity for smaller, independent businesses. Then, with an aroused public, TR was able to pressure the Congress to do something. Similarly, in the early days of the New Deal, Franklin Roosevelt used the power of the bully pulpit in his famous fireside chats to drive

home to the country at large the need for significant federal legislation in a wide range of areas to ease the problems of the Great Depression.

RK: The public has been trained for 30 years to think that there's really nothing great the government can do, except perhaps to prevent attacks. Where do you start? How do you change public opinion so that you can then change legislative direction?

DKG: The next president has to be able to express a sense of what America can be, what America has been in the past, and what it is not now. It has to be overarching; it cannot be just "we need this program and this program and this program." He or she has to remind us what made people come to this country in the first place—the belief that here, as Lincoln famously said, we had formed a government "whose leading object is to elevate the condition of men—to lift artificial weights from all shoulders; to clear the paths of laudable pursuit for all; to afford all an unfettered start and a fair chance in the race of life." The first and the most difficult task for the new president will be to remind people what made America so special in the first place, to create an emotional desire on their part to bring our performance closer to that ideal, to make clear the wide array of artificial weights that still prevent far too many people from having a fair chance in the race of life, and then and only then to propose the legislative programs or executive actions that will address these shortcomings.

RK: What about the assault on the Constitution and the false framing of liberty and security being at odds with each other? Does the new president criticize what Bush and Cheney did, in the same way that Franklin Roosevelt criticized the economic royalists? I fear that the Democrats have been so traumatized by the fear-mongering that they may want to prove that they're just as tough as the Republicans are. How would you have a Democratic president lead on that set of issues?

DKG: What's important, again, is to educate the country about the importance of protecting liberty even in times of crisis. Justice Thurgood Marshall acknowledged that the "grave threats to liberty often come in times of urgency, when constitutional rights seem too extravagant to endure," but that is when they need most to be protected. Franklin Roosevelt's

decision to send the Japanese-Americans to internment camps was one of the greatest violations of civil rights in our history. It began with a false assessment by the military that the Japanese-Americans were a substantial threat to national security. Racism further fueled the claim of “military necessity.” Eleanor Roosevelt thought the Japanese internment and the failure to bring more Jewish refugees into the country were two significant stains on the otherwise extraordinary presidency of Franklin Roosevelt. When Lincoln issued the suspension of habeas corpus, he did so with sadness. He explained why it had to be done, and he confined it to the single route where the Union troops were being blocked by secessionists in Maryland from reaching Washington, D.C. He explained that the Confederate insurrection had subverted the “whole of the laws,” and asked, “Are all the laws, but one, to go unexecuted, and the government itself go to pieces, lest that one be violated?” In other words, unless the troops could defend the Union in Washington, the entire Constitution would be subverted.

The president has to look philosophically at this whole question of liberty and security over time, to see when security had to take an upper hand and when the subversion of liberty was unnecessary. People have to grow into an understanding again about these issues. We have to re-educate them, in a certain sense, about why that liberty is so important.

I don't think it's going to be that helpful to simply investigate what went on in the Bush administration because people lose patience with that, though it's important to make sure that ongoing violations of liberty are changed. Lincoln liked to say that time is precious. He didn't have time to retaliate for things that had hurt him in the past so long as he could correct them in the present. When he lost his temper, he would immediately follow up with a kind letter to the person, assuring them that he didn't have sufficient time to keep his temper up. The Democrats don't have sufficient time in the first couple years of a new presidency to spend it looking backward. They have to re-educate the country and explain how liberty and security can exist together, that they must exist together. At the Democratic candidates' debate in Las Vegas they were asked for a one-word answer to the question: “Which is more important, security or human rights?” It was ridiculous.

RK: If a new Democratic president decided to give a very bold speech or series of speeches coupled with executive actions to transform the way Americans think about global warming, or universal health insurance, or about reclaiming the Constitution and redefining the connection between liberty and security, do you think public opinion today can be dramatically moved?

DKG: I think it's the only answer. It would have to be something very large, framed philosophically, like a speech to a joint session of Congress. There's still something about getting the whole government together and seeing the Supreme Court

justices there, the Cabinet, the House, the Senate. The country watches, and that may be the equivalent today of Roosevelt's fireside chats, because nothing else can mobilize the people to focus. Even with all the fragmentation of cable television, there remains the ritual of those big Joint Session moments. I think you're going to have to do a few of those.

RK: Do you think recent Republican presidents have been better than Democrats at using the ritual power and the symbolism of the presidency, and at winning points for gumption even from people who don't agree with the particulars?

DKG: Well, certainly Reagan was. Reagan was brilliant at symbolism and making the country feel that he had their interests in his heart, and he transmitted a contagious optimism that allowed him to move public opinion in his direc-



tion. Somehow his ideology of reducing government's intrusion came across as patriotic. You think about the flags that constantly surrounded him and the reassurance of his voice and the fact that he wasn't just ranting about the opposition. He created a generation of young conservatives, in part because he captured the symbolism. I think Democrats have not been as understanding of the importance that ritual and symbolism play in making people feel connected to the country and connected to what the leader is saying.

RK: We've steadily lost ground for 30 years in using government as an instrument of public purpose. How do you win back public opinion on that?

DKG: Teddy Roosevelt had to persuade people that the government should be the steward of the public welfare. Prior to his presidency, you had three decades of mostly Republican rule, with an ideological belief that business always acted for the benefit of the country. TR had to put forth the presidency as a balancing force. He personified what government could

accomplish for the public good. And then obviously FDR went way beyond what Teddy Roosevelt was able to do in making people feel that the government was their friend. Letters would come in to the White House saying, “My roof fell off, my wife is mad at me, the dog ran away, but you’re in the White House so I’m going to be OK.” People really felt a sense that he was acting to protect their interests.

It’s important to remember that before Lyndon Johnson secured his historic legislative victories on civil rights, Medicare, and federal aid to education, he gave very powerful speeches. Dick Goodwin, my husband, was involved in many of those speeches. Those speeches talked about not just what government’s role was, they talked about what America’s possibilities were and what we owed to our citizenry not just in civil rights but in terms of natural beauty, in terms of educating people. If you look back on them, those speeches are much more philosophical than most of the speeches have been in the last decades.

But then after Reagan, progressives have been fearful of talking big about the role of government. Clinton famously declared that the era of big government was over. I remember I was so disheartened by that. Obviously there will always be inefficiencies in bureaucracy, obviously some tasks are better handled by the private sector, but we have to believe again in collective responsibility. There’s a balance, of course, between individualism and collective responsibility, but we have to understand that when we operate as a community and when we work collectively together, that’s when great things get done. We’ll feel enlarged by that, and the country will be the country that we had hoped it would be in the beginning.

RK: Democrats, going back to Jimmy Carter, seem to have gotten stuck in a small-scale incremental mentality that doesn’t really inspire anybody. It’s not just a product of divided government because Carter had a big Democratic majority and Clinton started with a Democratic majority. Is there a risk that this habit of settling for small-scale incremental gains that aren’t transforming people’s lives, that aren’t inspiring, will spill over into how the next Democratic president thinks about his or her job?

DKG: It’s been four decades, really, since we’ve had a belief in transformative policies. It’s partly because, when they get in office, the pollsters say to them, “You need to have a success quickly.” It’s almost like the equivalent of the business quarterly reports. Supposedly, you build on that little success, and maybe you’ll get the next one. But that’s not the way it works. At this critical period in American life success has to come from transforming attitudes toward government, transforming attitudes toward the relationship of liberty to security, transforming what responsibilities we owe to the citizens who are struggling, why the growing gap between rich and poor is such a problem. Presidential leadership has to mobilize people to want something more from their country. It’s also a question of timing. A great leader has to understand that when the country is mobilized, then you can decide which program you go for, instead of going for the program first. It’s almost like they have it backward.

RK: Would you be happier if the Democratic candidates and the eventual Democratic nominee were talking more like this as a part of the campaign?

DKG: Absolutely. The debates don’t give them much chance to do that, but even during the debates I keep wishing some of them would talk about the country and what it is that has made this country so great in the past, what its problems are, where this enormous gap is between our promise and the reality of what’s happening to so many of our citizens. The way that questions get framed in these debates; they’re talking in smaller and smaller dimensions. Driver’s licenses for immigrants took up almost four weeks of discussion—that’s precious time being lost. The media just gets stuck on one issue, so it’s a hard thing for the candidates to fight against whatever is being discussed that week.

RK: Historically, who has used the occasion of the campaign to motivate voters and move public opinion in a potentially transforming direction?

DKG: Kennedy in 1960 wasn’t all that specific about what he wanted to see changed, but he created an atmosphere where citizens wanted the country to get moving again on solving its problems. Programmatically, that seemed to mean solving the problems that had been left unsolved in the ’50s, like civil rights, medical care for the aged, or federal aid to education. He created a yearning to solve these problems and then helped create an activist generation. The civil-rights movement had as much to do with it as anything. That was beginning to build in the late ’50s, but Kennedy provided a legitimacy and a welcoming to it. When he announced the Peace Corps in a speech at the University of Michigan, suddenly thousands of people were signing up for a nonexistent Peace Corps. So something was already out there, but there was an appeal to that generation to want to be more involved in their country’s problems, as he said of course in his inaugural. And then in ’64 Lyndon Johnson laid out a sharp difference between what he wanted to do and what Goldwater was suggesting.

RK: One of the conceits among the pundits is that the country is sick of partisan bickering and needs a kind of new centrism—as if the arguments between liberals and conservatives did not involve principled differences. I think historically the great progressives got some Republicans to do their bidding, not by splitting the difference with them but by leading.

DKG: Exactly. Roosevelt brought Henry Stimson and Frank Knox into his War Cabinet, which was a great thing to do, but these were progressive Republicans who believed in internationalism, who believed that Hitler posed a great threat to the country. And similarly when Lyndon Johnson persuaded the Republican Senate leader Everett Dirksen to come with him on civil rights, he was not making some sort of a centrist compromise. On the contrary, Johnson said to him, “Dirksen, come with me on this bill. Help me break this filibuster. I need your Republicans, because there aren’t enough Democrats to do it given the split in the Democratic Party in the South.” So first, Johnson promised Dirksen everything under the sun,

the whole state of Illinois would be filled with public works projects. But then he said to him, “Dirksen, you come with me on this bill, and ninety-nine years from now the NAACP will be flying your banner,” and finally, “Dirksen, you come with me on this bill and two hundred years from now school children will know only two names: Abraham Lincoln and Everett Dirksen.” So he appealed to Dirksen’s best interests and made Dirksen feel that his own legacy was on the line. I think you have to find those Republicans who can be persuaded that where you are trying to take them is where the country needs to go and that they will feel proud to be part of that forward movement.

The search for consensus at all costs can be paralyzing. Lincoln understood that absolutely. He listened to all different points of view, for example, on Emancipation, for months. And there were fiery arguments inside the Cabinet with the conservative members saying, “If you issue an Emancipation Proclamation the South will never come to the peace table, the war will go on much longer, you will lose the border states.” And meanwhile there were radicals saying, “Do it immediately without worrying about the consequences.” So he listened to all these arguments, but eventually he came to the decision himself in July 1862 that he was going to issue his Emancipation Proclamation. So he called his Cabinet together and essentially said, “I have resolved to do this. I am no longer asking your advice on the decision itself, but I’ll listen to your suggestions on its implementation and its timing.”

The desire for bipartisanship should mean the desire to have the president listen to opinions from all sorts of people, to bring in different points of view, to create an environment where people can disagree without fear of being marginalized. But then, in the end, the president’s convictions have to be what governs the day. The tactical question becomes: Can you bring along people from the other side of the aisle because you’ve educated them, too? That’s the breaking down of excess partisanship that our country needs. It’s not a matter of just saying, “Well, let’s find the common ground where everybody agrees,” because that’s not how true leadership works.

RK: What I admire about Reagan and even about Bush, if I can use the word admire in the same sentence with Bush, is they were willing to say, “Polls be damned, I’m going to spend some political capital on what I believe, and I’m going to move public opinion in my direction and people will admire me for standing for what I believe”—the opposite of what many political scientists teach about elected officials seeking the median voter. Do you think the next Democratic president is capable of saying: “Polls be damned, I’m going to be a leader?”

DKG: He or she has to understand that the poll is just a static representation of where people’s opinions are at that moment, and the job is to move those people forward. When you think about speeches in the last three decades, some of them may have been charming, some of them may have been interesting,

some may have even been moving, but the important thing is: Did they mobilize people to do anything? Roosevelt once said it’s a terrible thing to look behind you when you think there’s a parade following you and see no one there. That was after he gave his speech in 1937 on the need to “Quarantine the Dictators.” Many people in the Congress were so upset to think that he was entangling the country in Europe’s problems that he was threatened with impeachment. He didn’t stop moving forward, but he understood that he had to move one step at a time in educating the country to where he could take bolder actions. And step by step he moved, so that even before Pearl Harbor, he had made his destroyer deal, secured a peacetime draft, and created the Lend Lease Program.

He took risks with each of these actions, but with each step

THE NEXT PRESIDENT HAS TO BE ABLE TO EXPRESS A SENSE OF WHAT AMERICA CAN BE, WHAT AMERICA HAS BEEN IN THE PAST, AND WHAT IT IS NOT NOW.

he shaped public opinion more and more toward understanding that Hitler was not simply Europe’s problem. At the start of the debates on Lend Lease in Congress the majority of the people were against it, and by the time the debate finished they were for it. And that’s when FDR said the decisions of democracy may be slowly arrived at, but when they come, they are spoken with the voice of millions rather than one man. That’s what these candidates and potential presidents have to be willing to recognize, that their major job is to establish a connection with the citizenry. That’s where the qualities of empathy, authenticity, and willingness to really stake your positions and then move people toward them are really going to be critical.

RK: It seems that great leaders are creatures of their time. Not that every critical time produces a great leader, but every great leader you think of is a leader during a time of crisis.

DKG: Lincoln gave a famous speech when he was a young man in which he lamented the fact that his generation didn’t have the challenges that the Founding Fathers had. They had won their deathless names, they had mountains and rivers and streams named after them, for they had created the government, and he feared there was little left for his generation but modest ambitions. Maybe a seat in Congress, maybe even a presidency without purpose.

RK: This is what year?

DKG: In 1838. Then of course the slavery issue created that momentum, and his generation faced challenges even greater than the Founding Fathers’. A century later, in 1930, the Depression was there as a major challenge but Hoover was not able to rise to the challenge, though he had almost three years to do so. Franklin Roosevelt did. Obviously, September 11 was such a moment for a president. I’ve often thought had Bush really understood what FDR did at the time of World War II, there was so much opportunity for him. Number one, if you’re going to

have a long-sustained war, FDR understood you had to mobilize the citizenry in every possible way. So he had civilian defense corps in the cities. Suppose we had such people in the cities today, and then Katrina happened, there might have been a citizenry already prepared for handling emergencies. Suppose he had asked for an expansion of the Public Health Service because we were worried about biological attack; it would have been a great good in itself. Suppose he had asked for a tax—in every other war taxes were raised—instead of a tax cut. And what if he had brought in, as Roosevelt did, like-minded Democrats into his inner circle? There would have then been a wider range of opinions when the time came to wage war on Iraq.

And if the president had openly challenged our factories to produce the weapons that were needed, we wouldn't have had soldiers riding around in unarmored Humvees. At the beginning of World War II, it took 365 days to make a cargo ship. By 1943 it took one single day. The factories worked three shifts around the clock, they had day-care centers, and they produced a prodigious outpouring of ships and tanks and guns and weapons. The idea we couldn't produce the kinds of vehicles and protective devices that our soldiers need in Iraq is incomprehensible.

And if only the president had asked for more people to join the armed forces, I believe there would have been a great response. I think you know our son joined right after September 11. He had graduated from Harvard that previous June and had given no thought to the army until the terrorist attack. Many others joined at that same time, but I believe tens of thousands more would have volunteered had a presidential appeal been made. But the DOD wanted a smaller, more mobile army, which has led to the serious deficiencies we face today where the National Guard troops are having these second and third tours of duty. It's just not fair. At least for our son Joe and people like Joe, who entered knowing they were giving four years, they knew what they were getting into.

RK: Is he home?

DKG: Yes. He won a bronze star and came home. It was an extraordinary experience. He had a year of combat in Baghdad, where he was a platoon leader. His experience in some ways was a metaphor for the war because he got there soon after Saddam's statue was pulled down, right after the mission was presumed accomplished, when there was still hope that the mission could be one of peaceful reconstruction. He would e-mail us saying that he was going into Iraqi homes, and they were having discussions about free will and determinism. He, as an American, trying to teach them that fate doesn't have to define your life. But then as soon as these insurgencies started, there were no more dinners at the Iraqi homes, no more peaceful missions. Instead his platoon was involved in checkpoint duty, weapon searches, and nightly patrols making themselves a target to flush the insurgents out. But even with all of that, the experience of being with those soldiers in his platoon and growing through that hardship is something he wouldn't have changed.

September 11 was a presidential moment, and anything could have been possible. I don't hear the candidates talking about

that either. They bash Bush, but they should be showing what might have been possible. You have to give people a sense of what might have happened. There was a turning point when the citizenry was simply asked, as we all know, to shop rather than to do any of these things, to contribute in any other way.

RK: You just weep thinking of what a great president might have done with 9-11. Instead, Bush is bequeathing to his successor such an unbelievable mess. What kind of a burden does that place on the next president, assuming that the next president does have the potential to be a great leader?

DKG: Maybe in a perverse way if the president were able right up front to acknowledge how deep the problems are that we're facing, deeper than we faced for a long period of time, and show how interconnected they are—what's happened in Iraq, with the opinion about us in the world at large, what's been spent in Iraq in terms of the deficit, what needs to be done at home. If he can acknowledge to himself and to his inner circle and then figure out how to transmit to the country at large that this is a very, very challenging time for America, that many things are intertwined right now, that if they don't go right we're on a downward path.

If the president were able, right up front, to recognize the magnitude of the situation, but at the same time recall—and this is where history can come to bear—that our country has seen problems this deep before. We saw it in the Civil War, in the Depression, in World War II, we saw it in the early days of the civil-rights movement. You have to show that with presi-

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dential leadership and active citizenry, we were able to come through those. As president, you almost have to tell yourself that this is a crisis of that magnitude, and then that would play into the ambition of wanting to be a great president in order to deal with the crisis. Instead of defining it in programmatic ways, define it as one of the more difficult situations that any president has faced for decades.

RK: We've had presidents like Hoover and Bush, and I would add Carter, who faced moments of great challenge and failed to seize the moment. Other presidents like Roosevelt or Johnson or Lincoln faced deep crisis and rose to the occasion. It reminds me of Shakespeare's Julius Caesar: "There is a tide in the affairs of men, which, taken at the flood, leads on to fortune." But if you fail to catch that wave, you are stuck "in shallows and in miseries." Does the leader make the event, or does the event make the leader? Do you see that spark of greatness in any of the contenders?

DKG: You know, even in 1860 Lincoln wasn't perceived as the Lincoln we have come to know. Indeed, it was said that he was a fourth-rate lecturer who couldn't even speak good grammar. Those who knew him saw that he was unique, but the country was just getting to know him. Before his presidency, FDR was seen by many as a charming person but as something of a lightweight. And Lyndon Johnson—certainly people would never have guessed he would have been the champion of civil rights. No one fully saw that spark of greatness. Part of the problem is that we haven't had a platform for today's leaders to exhibit their talents on. The way our system is now working we

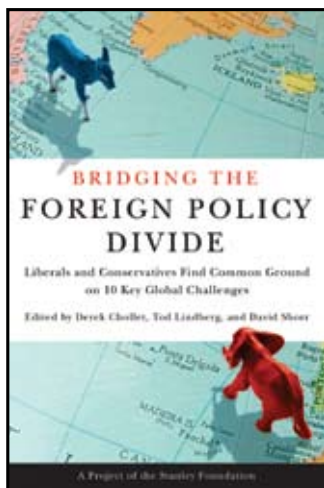
don't really get to see the larger dimensions of the candidates. They're forced into these artificial debates, artificial sparring back and forth with one another. And wherever they've come from, the House or the Senate, there hasn't been that chance for large pieces of legislation to give honor to their name or even serious arguments about big issues.

RK: Given the stupidity of polls and the mindlessness of the questions being asked during the debates, do you think that a candidate with the potential for greatness can transcend that?

DKG: I think it's been a huge mistake to have these debates week after week. It just means that the vital energies of the candidates are forced into this narrow framework, rather than really trying to assemble a team that can help them think about the problems largely and how they want to appeal to people in the larger sense. Each debate somebody is said to win or lose, and then they change course depending on what they want to do the next time. It's not broadening them.

The hope would be that the primary elections decide the candidacies early; that the nominee will realize that it's not enough to just simply win this election and have a presidency without much purpose; and that they begin the process right then of educating the country during the campaign. My hope is that the nominee will appreciate that they're going into an entirely new arena with the chance to be president, not just a continuation of the primaries, to recognize that the whole game is only worth it if you're going to be able to leave something behind that you can be proud of. **TAP**

Beyond Left and Right



BRIDGING THE FOREIGN POLICY DIVIDE

Edited by Derek Chollet, Tod Lindberg and David Shorr

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Good Jobs in a Global Economy

The next president can change our trade and labor policies to rebuild the American middle class.

BY ROBERT KUTTNER

If America is to redeem its status as the great middle-class nation, the next president will need to transform how we address the interlinked areas of labor and foreign trade. Laissez-faire trade is advertised as a policy that serves the general interest, resisted only by selfish interest groups. In reality, however, for two decades the trade agenda has been set by business elites in service of their own narrow interests. Business is so politically potent—so hegemonic—that its parochial goals succeed in parading as the public good. So the first task of a new progressive president is to remind citizens, as Franklin Roosevelt did, that corporate interests are not tantamount to the national interest.

We Americans, after all, are aware that business is not self-regulating—when we support domestic government action to temper such predatory behavior as corporations polluting the environment, cooking company books, making deceptive sub-prime loans, producing unsafe products, discriminating against minority or women workers, destroying the right of workers to bargain collectively, or looting pension funds. But when it comes to cross-border commerce, financial elites and their economist allies wave a wand and bless all unregulated corporate behavior as “free trade”—efficient and virtuous by definition.

In truth, recent multilateral agreements such as the one establishing the World Trade Organization, and numerous bilateral and regional deals like the North American Free Trade Agreement, have been less about promoting commerce and more about enforcing a brand of capitalism that weakens the mechanisms of a mixed economy, both in the U.S. and overseas. Under NAFTA, for example, consumer-protection regulations in any of the three participating nations can be deemed violations of free trade and challenged in a special court. The goal is to return capitalism to its model circa 1890, in which property rights are paramount, without the inconvenience of offsetting social regulations.

A PROGRESSIVE PRESIDENT needs to signal a new course—to inject greater balance into trade agreements and use the leverage of the United States to bring a managed form of capitalism to global commerce, rather than allow trade to destroy a mixed economy at home. One good idea is to take a “time

out” from the bilateral trade deals being feverishly promoted by business, and to insist on better corporate behavior as well as more robust domestic programs to help those displaced by trade as the price of further trade agreements.

The trade problem can be broken down into three separate challenges.

Foreign Mercantilism. Recent administrations of both parties have indulgently allowed other nations to practice forms of economic nationalism that the U.S. itself shuns and that harm the U.S. economy. China is a poster child for how not to run a laissez-faire economy. Beijing manipulates its currency to keep Chinese exports artificially cheap and uses a combination of carrots and sticks—subsidies, mandatory licensing, and technology transfers—to induce U.S. corporations or their supply chains to relocate there. But when China acts this way, flagrantly violating the letter or spirit of the free-market WTO, the fiercely nationalistic Bush administration turns oddly docile. High-level missions come and go, progress is promised, memoranda of agreement are signed, but little changes.

Why do U.S. presidents tolerate behavior that violates our own professed ideology of laissez-faire—behavior that leads to structural trade deficits, a dangerous dependence on loans from Asian central banks, and a new vulnerability to foreign “sovereign investment funds” that are hardly free-market creatures? One reason is that American corporations like this environment. If they relocate in China, they move to the more attractive sides of the wage divide, the currency divide, the regulatory divide, and the subsidy divide.

Big banks and investment houses are also content, as long as they get to play. According to *The Roaring Nineties*, Joseph Stiglitz’s memoir of economic policy in the Clinton years, in the 1999 negotiations for China’s entry into the World Trade Organization, then-Treasury Secretary Robert Rubin played hardball on only one issue—greater access for U.S. banks to the Chinese market.

In addition, America’s geopolitical ambitions often cause military goals to crowd out economic ones. Ever since Henry Kissinger negotiated détente with Beijing, American presidents of both parties have viewed China as a counterweight to Russia. We have bigger fish to fry with the Chinese than trade issues, and likewise with other key Asian economic



powers practicing economic mercantilism, such as Japan and South Korea. But a new president could take a far harder line with foreign mercantilism, as the European Union has begun to do with Beijing. Asian mercantilists may operate their domestic economies any way they like. They just shouldn't expect free entry of their products into the U.S. if they cheat the rules.

Regulation of Global Capitalism. Given the power of business, achieving a socially balanced form of capitalism requires great political struggle even in domestic politics, where policy issues are subject to democratic deliberation and mobilized citizens can vote. But globalization allows corporate end-runs around national laws, making the whole project of managed capitalism far more difficult to achieve.

The game becomes what the AFL-CIO's chief economist, Ron Blackwell, calls "tax, wage, and regulatory arbitrage." Corporations can outrun the mixed economy by moving their operations to nations with lower taxes, cheaper wages, and weaker regulations. This practice, in turn, places pressure on nations with decent social and labor standards to join the race to the bottom.

For two decades, corporations have successfully used tax competition to induce one advanced country after another to reduce rates on corporate taxes and on investment income. This process either shifts the tax load onto consumers and workers or just reduces public revenues generally. With the undermining of government's fiscal ability to temper the extremes of the market, the mixed economy becomes a less attractive bargain to voters, who find themselves paying a larger share of overall taxes and getting less back.

Hedge funds, typically, are domiciled in tax havens such as the Cayman Islands, which not only allow avoidance of

taxes but also of financial disclosures. Inter-linked financial markets increase the risk of contagion. The first casualties of the sub-prime collapse were two state development banks in Germany. To date, global financial regulation has not been equal to the challenge.

For example, in the 1980s, national regulators became concerned that global banks based in different countries were using wildly divergent standards for acceptable ratios of bank capital to debt. This was giving riskier banks a competitive advantage and increasing systemic risks. So regulators negotiated a common floor for capital standards, known as the Basel Accords. However, exotic new forms of financial engineering soon rendered these standards moot. So a second round of expert consultation produced Basel II, relying heavily on the banks' own risk models. However, when national regulators took a closer look, they learned to their horror that Basel II would actually permit weakening of bank balance sheets. Global bank regulation is too important to leave to bankers.

Other new transnational regulatory challenges such as global warming, the exhaustion of fishing stocks, commerce in unsafe consumer products, and the absence of standards for labor all require new efforts that can only be accomplished at the global level. In a new administration, the economic leverage of the United States should be used not to undermine necessary regulation at home but to enhance it globally.

To some degree, our friends overseas have grasped this potential. While antitrust regulation has been moribund in the U.S., it is alive and well in Europe. Domestically, Microsoft is permitted to abuse its Windows near-monopoly to limit consumer choices and to frustrate the use of non-Microsoft software applications. Brussels has taken a harder line and has compelled Microsoft to permit more choice and compatibility. U.S. regulators have also allowed cell phone networks to limit consumer choices and thereby raise prices. An iPhone, for instance, requires a contract with AT&T. This practice is an old-fashioned tying arrangement, presumably a violation of antitrust laws that the administration won't enforce. Overseas, by contrast, regulators require "unbundling." You can use any product with any network. And thanks to concerted pressure by Third World nations and their allies in civil society, drug companies now face compulsory licensing in cases where people in poor nations need but cannot afford life-saving drugs. This provision permits locally manufactured, low-priced medications. The U.S. government, acting for the pharmaceutical industry, fiercely resisted this advance. A new president should switch sides and join the global coalition for consumer, labor, and environmental protections as part of the rules of global commerce.

Trade, Jobs, and Wages. In the absence of enforceable global labor standards, liberalized trade with low-wage, low-

worker rights nations tends to produce a downward convergence of wages. Standard economics terms this effect the Law of One Price: Freely traded identical products will fetch something very close to the same price, and a wage is the price of labor. If workers in China have roughly the same productivity as workers in Detroit (most of the productivity being embedded in the technology), their wages will tend to converge, which is bad news for Detroit.

Until fairly recently, trade economists tended to trivialize the problem, contending that it affected only a million or two presumably overpaid factory workers. Increasingly, however, even mainstream economists, such as Alan Blinder, former vice chairman of the Federal Reserve, in his writings both in *Foreign Affairs* and in *The American Prospect*, calculate that tens of millions of jobs are at risk because of the broad downward pressure that trade, and the threat of offshoring, places on wages. Blinder's former chairman, Alan Greenspan, recognized the same dynamic in his recent memoir, where he attributed the absence of inflationary pressures to weakened labor bargaining power resulting from foreign low-wage competition.

A new president could bring a very different agenda to trade negotiations, bargaining hard for meaningful labor standards in both multilateral and bilateral trade accords. In recent trade deals, with the partial exception of the Cambodia agreement negotiated in 1999 under President Clinton, nominal labor standards have been tossed in, mainly as a bone to throw the labor movement. Whereas property rights and the rights of investors are contractually ironclad in international law, labor rights are not subject to meaningful enforcement.

A close analysis by Columbia law professor Mark Barenberg found that the labor provisions of the recent U.S.-Peru deal actually weaken existing trade law. Business gets concessions that limit Peru's capacity to operate a mixed economy. The deal requires in principle that the two signatory nations comply with the core labor rights of the International Labor Organization, as well as respecting their own labor laws. However, it is up to the president of the United States, or of Peru, to bring any complaint. This is the same president of the U.S. whose appointees have run roughshod over workers' rights under the Wagner Act. But no third party, such as the labor movement, has any meaningful right of redress. Yet this slender fig leaf was enough to win over the votes of key Democratic committee chairmen and half the House Democratic Caucus, because congressmen are under such pressure from business elites to accept these deals. It will take presidential leadership to move trade policy in a fundamentally different direction, with labor and social rights at the core.

EVEN IF WE DRAMATICALLY CHANGED trade policy—to reduce foreign mercantilism and increase labor and social rights worldwide—open trade with emerging economies would still depress some domestic wages. Chinese workers could organize free trade unions, and the Chinese yuan could trade at a more realistic value in foreign exchange markets, but Chinese manufacturing wages would still be low for a long transitional period, because living costs are lower in China and the vast

sea of Chinese peasants seeking regular employment pulls down prevailing wages. So trade remedies solve only part of the problem of U.S. wages.

On the domestic front, there are things a new president could do to shore up America's middle class, from the first hundred days to the life of a presidency. The single most important thing is to remind citizens of the value of the labor movement and identify a new administration with the resurgence of unionism. The trade union movement is not only the instrument of worker voice and of better wages and working conditions, but it remains the most potent civic counterweight to the political power of organized business. The last Democratic president to openly celebrate the labor movement was Franklin Roosevelt. John L. Lewis, then-president of the Congress of Industrial Organizations, was exaggerating only slightly when he declared, "President Roosevelt wants you to join the union."

Too often, recent Democratic administrations have treated the labor movement merely as a Democratic interest group to be endured or tended but not as a crown jewel of progressive politics. It would be a fine thing to see a Democratic president celebrate the heroism of ordinary people who braved the loss of their jobs to organize or join unions. At his first State of the Union address, Bill Clinton pointedly seated then-Federal Reserve Chairman Alan Greenspan in the gallery next to the first lady, to signal the press and the money markets that he and Greenspan had a close working relationship. The next president should accord that seat of honor to the leader of a janitors' local and take a few minutes of the State of the Union address to tell the story of what it took to win a first contract and what difference that made in the lives of ordinary people.

Recent Republican presidents have relentlessly used the levers of government to help business elites weaken or destroy unions. Some 40 National Labor Relations Board decisions under Bush appointees have made it easier for employees to harass or intimidate pro-union workers and harder to win union certification. In a flagrant double standard, the NLRB allows employers to get decertification of unions based on signed cards, but makes it almost impossible for unions to use signed cards to win union recognition. Employers are required to post notices of workers' rights to decertify unions as bargaining agents—but not to freely organize them. The NLRB has allowed managers to require compulsory anti-union meetings, which is plainly illegal under the Wagner Act. A September 2007 case reversed 40 years of precedent and made it much harder for wrongfully fired workers to collect back pay. Mercifully, NLRB appointees, unlike Supreme Court justices, are not lifetime appointees.

Occupational safety and health enforcement under Bush has been scandalous. The administration refused to issue an ergonomics standard that had been 10 years in the making. This refusal leads to hundreds of thousands of needless workplace injuries annually. Meanwhile, the failure to enforce environmental standards puts other workers at risk from toxic workplace substances.

The wages and hours division of the Labor Department

has allowed gross abuses of employers' reclassification of workers either as independent contractors or as managers, in order to avoid paying overtime, or in the case of independent contractors to avoid payroll taxes and fringe benefits. This practice denies workers both rights and earnings and puts more honorable employers at a competitive disadvantage. Enforcement even of such basic legal protections as the right to collect time-and-a-half pay for overtime has been minimal. The enforcement divisions of the Labor Department have been deliberately underfunded. The administration has also sought to limit data collected and made public by the Bureau of Labor Statistics, in order to conceal what is being done to workers.

All of these practices and countless others could be reversed by appointing progressives to Cabinet and sub-Cabinet positions, through the use of executive orders and better budgetary priorities.

The appointment of senior officials with a concern for workers should not be limited to the Labor Department but should include people at the power positions in economic policy at the Departments of Treasury, State, and Commerce, the U.S. Trade Representative, and the White House.

Legislatively, the next president should begin by raising the minimum wage and by pushing for early enactment of the Employee Free Choice Act, restoring the right of Americans to organize and join unions and bargain collectively. Looking toward the longer term, the next president should pledge a signature commitment to Good Jobs for Americans, using three strategies.

FIRST, WE NEED POLICIES to assure that every job in the human services will be a good job. Even if global labor standards slow down the process of needless outsourcing, automation will continue to displace traditional manufacturing jobs. However, there will be tens of millions of new jobs in the human services—taking care of the young, the old, and the sick. At present, far too few of these jobs provide professional training, decent wages, or good prospects for career advancement.

The typical nursing-home worker makes well under \$10 an hour, and turnover rates are in excess of 100 percent a year. In custodial day-care centers, workers usually have little training and earn wages less than half those of kindergarten teachers. In France, by contrast, teachers in early childhood schools get more education—additional courses in child development and in public health—than those in kindergartens and are compensated as professionals. In much of northern Europe, workers in nursing homes, assisted-living centers, and in mobile teams serving elderly people living independently are part of the national health service and are educated and compensated as professionals.

A national policy of upgrading the professionalism and the pay of people who work with the old and the young would not just create millions of good middle-class jobs to replace

the good jobs once held by factory workers. It would be far better for our parents and our children, and ourselves as we age. Enriched rather than custodial pre-kindergarten and child care would help the next generation realize its potential. Hospitals do somewhat better than day-care centers or old folks' homes in treating nearly all occupations as at least para-professions. But there are too many relatively low-wage jobs and too few career ladders.

At least half the money that pays the wages of human service workers is ultimately public money—through Medicare, Medicaid, Veterans Affairs, and publicly subsidized home care, child care, and other social services. A national policy to make every human-service job a living-wage job would cost serious

IN A NEW ADMINISTRATION, THE ECONOMIC LEVERAGE OF THE U.S. SHOULD BE USED NOT TO UNDERMINE NECESSARY REGULATION AT HOME BUT TO ENHANCE IT GLOBALLY.

money, but it would be a social investment well spent. Small-scale programs don't inspire voters because they don't achieve great national purposes. This one would.

A second source of good domestic jobs and technologies would be a national commitment to renewable energy. This would require the kind of industrial policy and public planning disdained by conservative ideology and discouraged by the current rules of the WTO—good reason for scrapping both. It would also require serious public investment, but again it would be the kind of initiative that could once more win public support for government. Energy policy would incubate entire new domestic industries and production jobs, as well as good blue-collar jobs retrofitting buildings. Berkeley, California, recently approved a program that uses property-tax revenues to pay the upfront cost of installing solar heat and hot water systems in every home in the city. Savings in energy costs pay back the initial expense—and more—over 15 years. Along the way, the city creates many hundreds of good domestic jobs installing the systems.

A third initiative to produce more middle-class jobs would be a serious active labor-market policy. In Europe, the Danes rely more on foreign trade than we do, but they have suffered nothing comparable to the U.S. erosion of income equality and employment security because they spend nearly 3 percent of their GDP on customized training for good jobs and transitional subsidies to support people while they learn new skills. Three percent of our GDP is about \$500 billion! Small-bore programs of "wage insurance" of the sort proposed by the Hamilton Project are nothing but temporary subsidies to move workers permanently into lower-wage sectors.

A stronger trade union movement, a more balanced trade policy, and a national commitment to create good jobs in human services and in renewable energy could offer voters an economy with no jobs that fail to pay a living wage. In a country this rich, where so many of the riches have gone to the very top, we should settle for nothing less. **TAP**

Financing the Common Good

After three decades of government starvation of necessary resources, the next president needs to champion progressive taxation with the proceeds invested in social outlays that make for a more productive economy.

BY ROBERT B. REICH

Those of us who want to reverse America's most troubling trends—widening inequality, increasing poverty, global warming, and a world grown increasingly unfriendly, to name a few—cannot simply rely on election victories. A Democrat moving into the White House in January of 2008, coupled with a Democratic majority in Congress (let's even fantasize 60 votes in the Senate) is a necessary precondition. But electoral triumphs will not be sufficient. Recall that we had both at the start of 1993, yet too little was accomplished to reverse these trends. All are worse now than they were then.

CLEANING UP THE BUSH MESS

A new Democratic president will face many of the same challenges Bill Clinton faced at the start of his administration—but all made worse by George W. Bush. Clinton, recall, inherited a fiscal straightjacket. At the start of 1993, the federal budget deficit was running \$300 billion a year as far as the eye could see. Prior Republican administrations had sought to “starve the beast,” going deep into the red by spending heavily on defense while at the same time cutting taxes.

A new Democratic president coming into office in 2009 will face a national debt much larger than it was in 1993. Despite the \$5 trillion 10-year budget surplus that ended the Clinton years, the federal debt at the end of the Bush years will be almost \$4 trillion larger than it was then. It will have grown about 70 percent during Bush's reign. If you assume 5 percent interest, the Bush debt burden will require the government to pay its creditors—prominent among them, the Japanese and Chinese—\$200 billion a year, forever. That will use up a lot of tax revenue even before any of the nation's problems are addressed. In this way, George W. and company have done Reagan one better. They've not only starved the beast through tax cuts for the rich and increased defense spending; they've just about dismembered it. Even worse, and for reasons having more to do with sociology than economics, financial markets tend to be more suspicious of Democratic presidents than Republican ones. That means they'll insist a new Democrat embrace fiscal austerity more zealously than

his or her Republican predecessor, as the price for lower interest rates—as did bond traders and Alan Greenspan when Bill Clinton came to power.

By the start of 1993, Republicans had so demonized Democrats as “tax and spend” liberals that the public was conditioned to reject tax increases. Reagan had reduced marginal tax rates on the rich on the specious supply-side grounds that the benefits would “trickle down” to the rest of the population. They did not, of course, but by the time Bill Clinton became president the public had been reflexively conditioned to object to any tax increases on anyone. Clinton slipped through a modest tax increase nonetheless, just on the wealthiest 2 percent; it passed by a one-vote margin. Nowadays, the drumbeat against tax increases is louder still. George W. Bush succeeded at reducing marginal taxes on the rich much further than Reagan, with the same supply-side argument, supported even by Alan Greenspan (although he claims he did so unwittingly). When the Democrats weren't looking, Republicans also convinced voters that the estate tax, barely affecting the richest 2 percent of Americans, was a “death tax” that would hurt the middle class.

Meanwhile, the fiscal demands facing a new Democratic president in 2009 are far greater than when Bill Clinton took office in 1993. Clinton's investment agenda in schools, job-training, health care, and infrastructure was badly needed then. Today, it's urgent. Inequality of income and wealth is wider and upward mobility has slowed. Our schools are worse than they were when Clinton became president, classrooms more overcrowded, and school buildings, falling apart. Job-training is almost nonexistent. At least 10 million more Americans lack health insurance than they did in 1993. Among the 13 wealthiest nations, America now ranks last or nearly last in infant mortality, low birth weight, and life expectancy. Some 5.3 million more Americans are living in poverty than when Bush became president. America's infrastructure is older and even more prone to breakage. From New Orleans levees to Minneapolis bridges to New York City's water lines, the nation is literally falling apart.

Add to all of this the pending retirements of baby boom-



ers and the looming fiscal crisis of Medicare, which includes a giant subsidy to the pharmaceutical industry disguised as a Medicare drug benefit for the elderly. And the Alternative Minimum Tax about to hit the middle class unless a trillion dollars can be found somewhere. There is also the newly obvious need to support basic research in non-fossil based fuels. Finally, and tragically, the war in Iraq will cost the nation billions more. Even if we were to withdraw tomorrow, the future costs of disability and health care for tens of thousands of wounded veterans, many with spinal and brain injuries, will be staggering.

The electorate, meanwhile, is more polarized than it was in 1993. Washington is more partisan; ideological divides are deeper; Fox News and right-wing radio are more entrenched. Assuming that both parties will know their putative nominees by early February 2008, the American public will suffer nine months of mostly negative campaigning between then and Election Day, buoyed by more than a billion dollars of snarling television ads. It can be safely predicted that the person who emerges from all of this as president-elect will be so badly bruised that he or she will have little political capital to start off with. The traditional presidential honeymoon will be short-lived, if it occurs at all.

There is, finally, in contrast to 1993, more cynicism about government's capacity to do the public's work. When Clinton took office, the institutions of government were battered but not beaten. Ronald Reagan had even added stature to the presidency although his policies detracted from the public

good. The first George Bush was blandly ineffectual but left the presidency and the executive branch more or less intact. Clinton thereby inherited an office that still summoned public trust and a government apparatus that still commanded some respect. An incoming Democratic president, by contrast, will inherit a government widely perceived to be incompetent (Katrina, Walter Reed, Iraq, and Abu Ghraib, for starters). He or she will also take over a system of governance seen as wasteful and corrupt (noncompetitive bids for military contracts, cost overruns, multibillion-dollar subsidies to oil and drug companies, endless earmarks). The Bushies will vanish into history. But the stench they have created will remain.

In this way, the administration of George W. Bush has exploited the asymmetry in American politics. By trashing the institutions of government, the younger Bush personified his central thesis that government cannot be trusted to do anything well. He has shown that Republicans cannot lose at this game. There is no downside in treating government like a sewer. To the extent they have been careless or negligent with it, or crassly mendacious, illegally rewarding cronies and punishing opponents, splurging and plundering at every turn, they still come out on top. If, against all odds, a program or initiative somehow succeeds, they can show how wise they were all along. If programs or initiatives fail, as has been more likely, the failures only illustrate why citizens and taxpayers should not rely on government in the first place. Bush has thus enlarged upon the Reagan-era fiscal tactic of "starving the beast" of revenues into a more insidious strategy of starving the beast of public trust.

GAINING A MANDATE

Facing these myriad obstacles, what is a new Democratic president to do? My suggestion: Do not wait until you are in office to build support for your highest priorities. Use the general election to highlight the things the nation must accomplish, and build your case. Bill Clinton's 1992 campaign aimed at so many different issues and objectives that the public was confused about Clinton's priorities once in office. This undermined whatever mandate he might have had for doing anything other than fulfilling Ross Perot's and Alan Greenspan's desire to reduce the federal budget deficit. Clinton's 1996 campaign emphasized school uniforms and V-chips to protect children from sex and violence on TV—in short, it gave him no mandate to accomplish anything very important in his second term, even though the budget moved into surplus and he finally had the resources he needed to fulfill his first-term agenda. This lack of mandate, coupled with the widening surplus, allowed the Republicans to make a tax cut the most appealing alternative.

Beyond specific policies, give us a sense of where you want to take the nation so there's a reason for your presidency larger than any particular initiative. Connect the dots. This was Clinton's strong suit in the 1992 campaign. He spoke of giving Americans the tools they needed to succeed in the new global economy, the security they needed in order to be able

to navigate the inevitable changes ahead. You should also talk about building the economy from the bottom up by making Americans more flexible and productive—in contrast to the Republicans' failed strategy of building it from the top in the hope that tax cuts for the rich trickle down. Americans know what's happened. Median wages remain flat while almost all the growth has gone to the top. The typical young man in his 30s today is earning 12 percent less than his father earned three decades ago, adjusted for inflation. Americans want an economy and a society in which their children will do better than they do.

Once in office, pay careful attention to the priorities you've campaigned on, and look for ways to dramatize and reaffirm your overall vision. You won't have the luxury of squandering any morsel of political capital. You can't grapple with the equivalent of "gays in the military," as did Bill Clinton, inadvertently, at the start of his administration. Begin promptly with your most important agenda items, and don't raise secondary issues, such as Clinton did by pushing for the North American Free Trade Act. You won't have the time, or the public's trust, for such digressions.

In everything you do, emphasize and illustrate competence. Appoint people who palpably take government seriously. Avoid even the suggestion of cronyism. Give the public specific benchmarks for how you, and the public, will be able to judge whether an initiative is succeeding and, hence, whether tax dollars are being spent wisely. If a program or an initiative fails to meet the benchmark, end it.

Increase the staffing of regulatory agencies charged with protecting the public, and appoint regulators who believe in protecting citizens. See to it that corporate lawbreakers are prosecuted vigorously. There is no better means of demonstrating to the public why government is necessary and, not incidentally, that you are not in the pockets of the powerful. Crack down on unsafe products, sweatshops, consumer fraud, bribery, the looting of corporations by executives, illegal firings, sexual harassment, oil spills, predatory lending, insurance companies that fail to honor their policies, underfunded pension plans, corruption in the awarding of government contracts. Protect corporate whistleblowers. Publicly castigate CEOs who endanger or defraud the public.

Finally, support democratic reforms—for example, full public financing of elections, far stricter limits on when ex-members of Congress may lobby their former colleagues, full disclosure of who bundles contributions and from whom, and blind trusts through which all campaign contributions must pass (thereby preventing candidates from ever knowing who contributed what). Be willing to fight Congress and the special interests for these and other reforms. Your pollsters will tell you the public doesn't care about these because the public is already so cynical about politics. Your pollsters are wrong. If you want to accomplish anything really important over the long

term, you must re-establish Americans' trust in our democratic process. That trust—the inverse of what George W. Bush has left us with—may be your most important legacy.

PAYING FOR IT

You won't raise nearly enough revenues merely by rolling back the Bush tax cuts for the rich. Responding to all the deferred needs of the nation will cost several hundred-billion dollars more. Where to get the additional money? Three sources: The peace dividend from ending the Iraq War, a more progressive tax, and modest deficit spending. Because many of America's deferred needs are felt so directly by a large majority of citizens—health care, early education, child care, training for good jobs, better public transit, and so on—you can gain support for additional revenue if you educate the public about what you're doing and why.

Start with the peace dividend. According to government figures, the wars in Iraq and Afghanistan have so far cost the United States more than half a trillion dollars. Another four years would cost significantly more, because this figure doesn't include the ever larger costs of recruitment or the cost of replacing the equipment that's been used in the war so far. If you ended the war, it's safe to say that the peace dividend would be more than \$100 billion a year, even including the costs of attending to our wounded.

The only people who have the money necessary to reverse the nation's troubling trends are at the top. Recent data from the IRS show that the wealthiest 1 percent of Americans are earning more than 21 percent of all income—a postwar record—while the bottom 50 percent of Americans combined are earning just 12.8 percent of total income. (Right-wingers have

LAST YEAR, MANAGERS OF THE TOP 25 HEDGE FUNDS TOOK IN AN AVERAGE OF \$560 MILLION AND PAID TAXES AT A LOWER RATE THAN AMERICA'S WORKING POOR.

attacked these data by arguing that the IRS improperly counts adjusted gross income, but however you try to bend the numbers the trend is unmistakable.)

Explain to the public that even as income and wealth have become more concentrated than at any time in the past 80 years, those at the top are now taxed at lower rates than rich Americans have been taxed since before the start of World War II. Taxpayers who bring home over \$5 million annually now pay less than 22 percent of their incomes in federal tax, on average. Managers of hedge funds, private-equity partners, and many venture capitalists are paying no more than 15 percent—since their earnings are, absurdly, treated as capital gains. This means that America's wealthiest, who have been receiving most of the economy's bounty, are paying a smaller percentage of their income in taxes than are middle-class Americans. Financiers who are raking in hundreds of millions—last year, each of the 25 highest paid hedge-fund managers took in an average of \$560 million—are paying at

a lower rate than many of America's working poor who barely clear \$20,000 annually.

How to sell a higher marginal tax on the wealthy? Emphasize that there's no way the country can do what's needed unless more money is raised—and yet, if the rich don't pay their fair share, the burden will fall on a middle class that's already financially strapped. By the same token, only a relatively few at the top would need to pay more. According to the Institute on Taxation and Economic Policy, if the marginal income tax rate on Americans whose yearly income exceeds \$10 million were raised to 70 percent, and the rate for those who earn between \$5 million and \$10 million a year were raised to 50 percent, federal revenues in 2008 would increase by \$105 billion. By my calculation, a tiny annual wealth tax of one-tenth of 1 percent on all net worth exceeding \$5 million—a tax that would affect only 50,000 households, or fewer than one-tenth of 1 percent of the nation's taxpayers—would yield an additional \$100 billion.

Point out that a progressive income tax has been a cornerstone of our fiscal system since 1913—and our current non-progressive and often regressive tax is the anomaly. In World War II, rich Americans paid a marginal rate of over 68 percent of their incomes in federal taxes, even after exploiting every tax loophole they could find. In the 1950s, under Dwight Eisenhower, the highest marginal rate was over 90 percent, and even after using all the deductions and credits, the rich paid almost 52 percent.

In addition to re-establishing a progressive tax, you'll need to wean the public—and your fellow Democrats—off the false notion that fiscal austerity is necessarily good for the economy. Explain the difference between public spending that builds

understand rather than those encoded in appropriations committees: Social Security and Medicare; defense and homeland security; health care; roads, bridges, and other infrastructure; education and basic research. This will help push Republicans into a debate over what the public needs, rather than over the size of government or amount of taxes. It will also help you build the case for raising taxes on the super-rich—not as an end in itself but as a means of accomplishing what the nation must do without adding to the tax burden of the middle class.

LEADING

Cleaning up the Bush mess, building a mandate, and gaining public support for paying for what needs to be done will require skillful leadership. But neither of the two models of presidential leadership in recent years will suffice. Under one model, presidents lead by finding the putative “center” through a seemingly endless process of polling. After the stunning Democratic defeats of 1994, Bill Clinton turned much of the apparatus of policy-making over to his pollster, Dick Morris. But leading by polling isn't leading; it's pandering. Most of the public doesn't know exactly what it wants because it hasn't had the time or energy to find out; its so-called “opinions” typically reflect no more than what it's heard from an opinionated columnist or talk-show host. At this perilous juncture in America's history, you dare not lead by polling. There's no “center” with a clear-eyed view of what must be done.

Under the other model, presidents decide what's good for the public and then try to sell, cajole, intimidate, or lie their way toward gaining public support. George W. Bush didn't waiver in any of his beliefs, including the wisdom of his supply-side tax cuts for the rich and of invading Iraq. But leading by fiat isn't leading, either; it's bullying. It's also profoundly anti-democratic. Worse yet, it leads to large errors because a president who's dogged in pur-

THE NEXT PRESIDENT NEEDS TO WEAN THE PUBLIC, INCLUDING FELLOW DEMOCRATS, FROM THE FALSE NOTION THAT FISCAL AUSTERITY IS GOOD FOR THE ECONOMY.

the future productivity of the nation's workforce—spending on education and infrastructure, for example—and spending that improves today's living standards. Borrowing in order to accomplish the former is wise because it enhances the capacity of the nation to produce goods and services, and thereby shrinks both the deficit and debt as percentages of the total economy. By analogy, while it makes no sense for a family already in debt to borrow more money to finance a cruise, it makes eminent sense for it to borrow more in order to send a child to college. Illustrate this point in your annual budget. Separate such “investments” from ordinary spending. Insist that annual spending not exceed annual revenues, but judge investments by their potential for growing the overall economy and be willing to borrow in order to finance them.

Finally, even before submitting your first budget to Congress, offer the public specifics about how much your priorities will cost, along with the cost of other major government programs. Break the budget down into categories the public can

suit of his goals is often incapable of hearing evidence that shows those beliefs to be mistaken. If you choose this model of leadership, you subject the nation to grave danger.

But you needn't choose between pandering and bullying, between trying to please everyone and refusing to consider contrary opinion. Especially now—given what the nation faces in the years ahead and given the mess you've inherited—you must lead by making your case to the public as strongly as you can but then listening carefully to what the public and its representatives say in response. Be bold, but be willing to modify if facts and conditions change. Be clear about where you want to lead America, but reconsider if the public will not follow. Come down hard on adversaries but don't mistake disagreement for craven opposition. In other words, enter into an ongoing dialogue with your public. Educate them, but be humble enough to be educated in turn. That's the only way to preserve and build the trust in your leadership. Given the difficult hand you've been dealt, it's your only hope for success. **TAP**

This Will Mean the World to Us

How the next president can get America to stop dragging its feet, confront global warming, and save the planet

BY CHRIS MOONEY

Is it any wonder that progress on global climate change has been so slow? As the University of Washington ethicist Stephen Gardiner has recently argued, nothing in human experience has prepared us to deal with a problem that has such far-flung causes and uneven and momentous effects. No one source of emissions is to blame: Global warming springs from many acts of energy consumption over many years in many places across the planet. And if and when the temperatures and the seas rise, the toll will fall on some nations (mainly poorer ones) more than others, while the costs of any policy to avert warming will be distributed differently and require present generations to make sacrifices for future ones. Scientific uncertainty complicates matters still further, as does the lack of strong global institutions capable of tackling something this big and complex. Add in massive social inertia, and, as Gardiner puts it, global warming amounts to the “perfect moral storm.”

Perhaps, though, there’s still hope. Despite decades of delay, the next president could still move us toward a solution before devastating climate change becomes irreversible. It would take an unprecedented effort, to be sure, both domestically and internationally, and require a vision and leadership that George W. Bush has never shown.

But if we get a president who is equal to the challenge, what exactly could he or she do? What follows is a roadmap for action—for literally saving the world as we know it.

FIRST THE GOOD NEWS: There’s momentum, finally. Thanks to Al Gore and others, global warming has gone mainstream. An issue that floated around the peripheries of policy-making for far too long is now triggering unheard of levels of media attention and a rash of legislative proposals. The presidential candidates—at least the Democrats—are now one-upping each other to outline the most ambitious climate policy. Emissions cuts of 80 percent by 2050? Bah, says Bill Richardson. I’ll see your 80 percent and raise you to 90.

Even the Bush administration seems to feel the pressure. Although mixed signals continued well into 2006, it’s no longer possible to argue that the president and his administration reject mainstream climate science. They’ve copped

to the conclusion that humans are driving global warming, and so have many of the current Republican presidential candidates. Though not as gung ho as Democrats, even many mainstream Republicans see the need to address global warming, with big state governors Arnold Schwarzenegger of California and Charlie Crist of Florida leading the way on behalf of their party.

So the time is right for a new president to sweep into office, define climate as a first-tier priority, and bring about a sea change—at least a figurative one in policy to stop a real one in the oceans. The initiative should start with a major speech in the first 100 or 150 days in which the president calls the nation to a historic challenge and lays out a plan. Dealing with global warming will not spell the end of the economy, but there will assuredly be costs—costs, that is, to avert even greater costs. We will be raising the price for some forms of energy use because they bring with them dire consequences (like the ultimate inundation of Florida). But by beginning to move away from carbon-based energy sources, we will also create many new economic opportunities, while also preventing intolerable and irreversible changes to the Earth. On any ledger sheet worth reading, dealing with global warming leaves us well in the black.

Even before the speech, the president will need to appoint a team committed to the endeavor. As New Hampshire’s Carbon Coalition has outlined, that means an Environmental Protection Agency administrator, a presidential science adviser, an Office of Management and Budget director, and a Council of Economic Advisers chair who all know what’s coming and are ready for it. It also probably means a high-level international climate envoy—preferably someone with a household name. (Guess who.) Hillary Clinton has further promised to create a National Energy Council in the White House, parallel to the National Security Council and headed by a top energy adviser. The council would coordinate both the federal response to climate change and the necessary accompanying energy policies.

Whatever the structure of policy-making at the highest levels, the staffing mandate has to extend down the ladder and throughout the agencies. The Bush administration offers a model in reverse. It installed people in the disparate branches

of the federal bureaucracy who excelled at censoring scientists and at keeping global warming *off* the agenda. The next administration must be staffed by people who understand and accept the science and are committed to getting to work on the problem.

What will these public servants do? In essence, work through a two-step process. First, the new administration has to address global warming as a domestic matter through regulatory and energy policies. Second, but no less important, it has to address the problem internationally through negotiations.

FOR MANY YEARS, the United States has been the largest greenhouse gas-emitting nation, accounting for nearly one quarter of the global total (although, according to the International Energy Agency, 2007 may well have been the year that China finally surpassed us on that front). India and other developing nations are also coming along quickly on their quest for increased prosperity, claiming the right to burn fossil fuels just as the industrialized world has done.

As these trends suggest, solving global warming in the United States alone won't mean anything unless we also get other countries on board, particularly the most populous developing nations (which are not required to reduce their emissions under the current Kyoto Protocol). But we have to lead by example. While it's critical to remain engaged in each successive step of international negotiations under the United Nations' Framework Convention on Climate Change, in the long term the next president can't hope to bring the entire world along if America keeps showing up empty-handed. Climate Policy Center president Rafe Pomerance, who worked on the Kyoto accord during the Clinton administration, says, "If you go in without the Congress having actually done something, the question is whether you can deliver. Having been through Kyoto, I wouldn't do it again."

The centerpiece of the president's domestic climate agenda must be the introduction of legislation that would finally set a mandatory cap on domestic emissions of the gases—chiefly but not exclusively carbon dioxide—that amplify the natural greenhouse effect and thus cause global warming. The cap can be relatively lenient at first, but should grow tighter over time, allowing for adaptation by industry and for the development of new technologies that will make emissions reductions less economically burdensome. The most important thing is that we finally escape from the current "tragedy of the commons" in which no one bears the costs for polluting the atmosphere.

The mechanism for capping emissions that has won the broadest backing uses the same market-based structure—a so-called "cap and trade" system—as the 1990 Clean Air Act amendments that reduced the pollutants responsible for

acid rain. In this regulatory scheme, the government sets an economy-wide limit on total greenhouse gas emissions and then distributes allowances to specific firms and groups. Those who emit less than their allowance can then trade the remainder to others as they see fit. As a result, the mandated reductions are achieved economy-wide in the most efficient fashion.

Cap and trade isn't the only emissions reduction mechanism under discussion, but it has the strongest policy consensus behind it. A so-called carbon tax has the unfortunate word "tax" attached to it. And unlike cap and trade, a straight tax on carbon does not set a fixed limit on the volume of emissions; it merely assumes that they'll decline because they've become pricier. Perhaps most important, major fossil-fuel companies, including Shell, BP, General Electric, General Motors, and DuPont, all endorse cap and trade. Any politically feasible solution must have these powerhouses behind it.

Precisely how should the cap-and-trade regime be structured? Here's where matters get politically tricky, given that any cap will have economic repercussions as a result of an increase in energy prices. According to an analysis by Duke University's Nicholas Institute for Environmental Policy Solutions, even the relatively modest bipartisan climate bill introduced in the Senate by Joe Lieberman and John Warner would decrease the gross domestic product by half a percent in 2015 and by almost a full percentage point in 2030. (Remember, however, that uncontrolled global warming will also imperil future economic growth.)

Global warming policy, explains American Meteorological

WE NEED LARGE-SCALE INVESTMENTS IN THE RESEARCH AND DEVELOPMENT OF NEW ENERGY TECHNOLOGIES—ON THE ORDER OF \$150 BILLION OVER THE NEXT DECADE.

Society policy fellow Paul Higgins, should be thought of as a form of "risk management"—the stronger the policy, the less likelihood there will be of irrevocable catastrophe. That's why action must be swift and decisive. But if the policy advocated is too strong to be politically feasible and thus fails enactment, it could set back efforts rather than advance them. So it's critical that the next president take a strategic stance when it comes to the precise cap-and-trade system under consideration—bearing in mind that the key thing is to get a sound policy foundation in place that can later be built upon.

Many Democratic campaigns, responding to their environmental base, are currently outlining cap-and-trade regimes featuring a highly ambitious 100 percent auction process for the initial pollution allowances or permits, with the proceeds going to other needed public policies, such as investment in the clean-energy technologies that must ultimately supplant fossil fuels. When it comes to specifying precise reductions, meanwhile, the campaigns generally seem to agree that we need something like bringing emissions back to 1990 levels by 2020 and decreasing them by 80 percent by 2050, through a cap that becomes progressively more stringent.



An 80 percent reduction by 2050 does indeed square with what scientists think would be necessary to avoid the worst climate impacts—most notably, the loss of large bodies of land-based ice currently perched atop Greenland and West Antarctica, which, upon sliding into the ocean, would drive catastrophic sea-level rise. It's one thing to outline a policy in the abstract, however, and quite another to get it through the next Congress. As one climate policy insider says, "The environmental community has a tendency to run their leaders off a plank; that's what they're setting up right now with this 80 percent reduction by 2050."

The more moderate approach of the Lieberman-Warner bill is to reduce capped emissions (and not all emissions are included) by 70 percent by 2050. Lieberman-Warner is also pragmatic in another way: It does not set up a 100 percent auction for emissions allowances, a system that major emitters oppose. They think they should be granted allowances gratis at the outset (or as climate experts say, there should be "grandfathering"). Under Lieberman-Warner, just 24 percent of allowances would be auctioned off initially, though the percentage would increase over time. It's far easier to get buy-in from industry in this way, and although Lieberman-Warner may have a tough time passing both houses of Congress before the election (or surviving a possible presidential veto), it may be precisely the type of bill that can sail through in 2009.

What's achievable in climate policy seems to be changing all the time, but still we mustn't shoot the moon. Consider the perspective of Tim Profeta, current director of Duke's Nicholas Institute, who previously served as a chief architect of the McCain-Lieberman Climate Stewardship Act, which failed by

a 55-to-43 Senate vote in 2003. "As somebody who fought for a freeze of emissions in the 2003 Congress and was told it was too aggressive, it is hard for me to believe where we are now," Profeta says. "The current movement to require 100 percent auctions and even deeper cuts faces strong political opposition from emitters, many of whom have good arguments about what is economically feasible for their companies. I fear that we might pass up the opportunity for real action now—when it is essential to have the U.S. begin to reduce its emissions—because some advocates contin-

ue to shift the objectives to stricter and stricter limits as the debate proceeds."

It's fine for Democratic candidates, at the moment, to answer the call of environmental groups—the Sierra Club, for instance, has criticized Lieberman-Warner—and present highly ambitious cap-and-trade proposals. But after the election, the new president will need to be flexible and focus on getting a workable bill passed. It can be strengthened later as more science comes in—2050 is, after all, still far away—but we must at least begin ratcheting down emissions now.

THE UNITED STATES has never before regulated industrial greenhouse gas emissions, so getting a strong cap-and-trade bill through the next Congress may pose a considerable challenge even with a more moderate piece of legislation. Yet it's just a beginning. It ought to be accomplished relatively quickly and accompanied by other complementary domestic policy measures. These break down into two fundamental categories: 1) Investing now in deploying existing technology and developing new technologies that will make it possible to power America cleanly; and 2) Preparing to adapt ourselves to climatic changes that have already been triggered and cannot be avoided, due to the global warming that is already "in the pipeline," as scientists put it.

Global warming is, first and foremost, an energy problem. Beginning with the industrial revolution, we developed highly effective mechanisms for powering our societies, only later to discover that they have a terrible hidden cost that threatens to disrupt and destabilize global civilization. That's why we need large-scale investments in the research and develop-

ment of new energy technologies—a “Manhattan Project” for clean energy, on the order of \$150 billion over the next decade. The money would flow to research on how to make renewable energy sources more economically competitive, how to make dirty energy sources cleaner, and much else.

Climate and energy policy experts agree that if there’s any “low-hanging fruit” to be picked in this area, it lies with energy efficiency. We *could* be living and working in much more energy efficient buildings. Those buildings *could* be lit by bulbs that consume far less energy than the current, commonplace incandescent ones. We *could* be driving cars that get many more miles per gallon of gasoline. And so besides shepherding a cap-and-trade bill through Congress and directing an unprecedented amount of money into clean-energy technology research and development, the new president should also unveil a comprehensive set of regulatory proposals to ensure that we get the most out of the dirty energy that we’re using and will use for some time to come.

Next comes adaptation, which has become something of a dirty word in some parts of the environmental movement, where it connotes capitulation to climate change. But “just adapting” is not what I mean. Let there be no mistake: There is no adapting to 25 meters of sea-level rise for the billion people whose current homes and cities would be swallowed up by the ocean in such a scenario.

We can adapt, however, to more modest changes brought about by global warming, at least if we have some sense of what they’ll be like on a regional basis. And here arises one

Furthermore, as adaptation isn’t merely about getting good information, the federal government should move to prepare for targeted adaptation measures in some very high-risk areas—say, seawalls to better defend New York City. Here is something none of the campaigns are really taking about—how even a little bit of climate change (and accompanying sea-level rise) makes certain disasters slightly more likely to occur, and how some of these disasters are so awful and inconceivable that we should be investing strategically to prevent them.

AND THUS—IF ALL OF THIS can be accomplished in the first year or so of the next administration—we move to the international arena. That’s not to say that international negotiation cannot begin until domestic policy-making has been completed; this isn’t a fully stepwise process. The United States ought immediately to re-engage in the United Nations’ Framework Convention on Climate Change process at a much higher level than at present, in the hope of establishing a post-Kyoto regime.

But there’s more to be done because at least in its current incarnation, the Indias and Chinas of the world aren’t even covered by Kyoto—and it’s their emissions we have to worry about most going forward. Joe Romm, a fellow at the Center for American Progress, explains the magnitude of the diplomatic mission: “The president has to name a high-level envoy, like Al Gore, whose sole job is to treat this like the Mideast peace process, and start one-on-one negotiations with all the big emitters.”

The leverage and good example set in the domestic arena will be critical for bringing developing nations into an agree-

ment to reduce their emissions. Explains Duke’s Profeta: “India and China will never agree to a cap until the U.S. has already taken action. They have a

very strong moral and equitable argument. While they are major emitters today, the majority of this problem is caused by emissions from the U.S. and other developed countries.” In return for agreements on greenhouse gas emissions, the United States and other advanced countries also have to be prepared to offer developing nations aid in making the transition to a clean-energy economy.

Only when the rest of the world, like the United States, is also on track to dramatic emission reductions can we even begin to hope that the climate problem has been dealt with. And pray that global warming doesn’t kick in faster and in a worse way than anticipated. Sadly, the more we learn about the climate, the more sensitive to disruption it appears. We will be very lucky at this point if we manage to get out of the mess we have created with only minor changes that we can (mostly) adapt to. And if we do achieve such a narrow escape, it’s quite certain that we will have the 44th president of the United States to thank. **TAP**

Chris Mooney is a senior correspondent for The American Prospect and author of The Republican War on Science.

SOLVING GLOBAL WARMING IN THE UNITED STATES ALONE WON’T MEAN ANYTHING UNLESS WE ALSO GET OTHER COUNTRIES ON BOARD. WE HAVE TO LEAD BY EXAMPLE.

of the least known but most damaging scandals of the Bush administration—the deep-sixing of climate change preparedness. Bush’s appointees have undermined, at every turn, a Clinton-era initiative, known as the National Assessment process, designed to study the specific effects of climate change on different regions of the United States. All coastal areas, for example, must count on sea-level rise—and must hope that climate policies can contain it to only a few feet over coming centuries. Meanwhile, other regions must expect a variety of other kinds of changes that have already begun to affect agriculture, the risk of wildfires, water supplies, and much else.

The first national assessment, published late in the Clinton years, endeavored for the first time to study and project what these changes will be. The Bush administration not only failed to follow up with a new assessment, as required under the 1990 Global Change Research Act, but actually censored references to the Clinton assessment out of government reports released by the U.S. Climate Change Science Program.

Our next president, in contrast, must immediately revive the federal assessment process, so that communities nationwide can understand their risks and begin to plan for the future.

Healing Our Self-Inflicted Wounds

How the next president can restore the rule of law to U.S. foreign policy—and rebuild American credibility and power

BY JOHN SHATTUCK

There's a remarkable paradox in the relationship today between the United States and the rest of the world. Despite economic and military assets unparalleled in history, U.S. global influence and standing have hit rock bottom.

As an economic superpower, the U.S. has a defense budget that accounts for more than 40 percent of global military spending. But this "hard power" does not necessarily translate into real power. National-security failures abound, from the catastrophic events in Iraq to the resurgence of terrorist networks in Afghanistan and Pakistan, from the growing threat of civil war throughout the Middle East to the deepening uncertainties of the Palestinian-Israeli conflict, from the standoff with Iran to the genocide in Darfur.

The next president will have to address these crises by re-establishing America's capacity to lead. Doing so will involve working to regain international credibility and respect by reshaping American foreign policy to direct the use of power within a framework of the rule of law.

THE SCALE OF THE PROBLEM

The United States may be strong economically and militarily, but the rest of the world sees it as ineffective and dangerous on the global stage. Less than a decade ago the situation was quite different. A 1999 survey published by the State Department Office of Research showed that large majorities in France (62 percent), Germany (78 percent), Indonesia (75 percent), Turkey (52 percent), among others, held favorable opinions of the U.S.

This positive climate of opinion fostered an outpouring of international support immediately following the September 11 attacks. The U.S. was able to assemble a broad coalition with U.N. approval to respond to the attacks and strike terrorist strongholds in Afghanistan.

Six years later global support for U.S. leadership has evaporated. In poll after poll, international opinion of the U.S. has turned sour. A January 2007 BBC survey found that 52 percent of the people polled in 18 countries around the world had a "mainly negative" view of the U.S., with only 29 percent having a "mainly positive" view. In nearly all the countries that had strong support for the U.S. in 1999 a big downward shift of opinion had occurred by the end of 2006. In France it was

down to 39 percent, in Germany down to 37 percent, and in Indonesia down to 30 percent. A separate survey conducted in 2006 by the Pew Research Center revealed extremely hostile attitudes toward the U.S. throughout the Arab and Muslim world: Egypt polled 70 percent negative, Pakistan 73 percent, Jordan 85 percent, and Turkey 88 percent.

A major factor driving this negative global opinion is the way the U.S. has projected its power in the "war on terror." Four years after the Iraq invasion, U.S. military presence in the Middle East was seen by 68 percent of those polled by the BBC "to provoke more conflict than it prevents." Similarly, a poll published in April 2007 by the Chicago Council on Global Affairs showed that in 13 of 15 countries, including Argentina, France, Russia, Indonesia, India, and Australia, a majority of people agreed that "the U.S. cannot be trusted to act responsibly in the world."

The U.S. is now seen internationally to be a major violator of human rights. The BBC poll showed that 67 percent of those surveyed in 18 countries disapproved of the U.S. government's handling of detainees in Guantanamo. A survey conducted in June 2006 by coordinated polling organizations in Germany, Great Britain, Poland, and India found that majorities or pluralities in each country believed that the U.S. has tortured terrorist detainees and disregarded international treaties in its treatment of detainees, and that other governments are wrong to cooperate with the U.S. in the secret "rendition" of prisoners.

These global opinion trends have reduced the capacity of the United States to carry out its foreign policy and protect national security. The perception of a growing gap between the values the U.S. professes and the way it acts—particularly in regard to human rights and the rule of law—has eroded U.S. power and influence around the world.

In his book, *Soft Power: The Means to Success in World Politics*, Joseph Nye analyzes a nation's "ability to get what [it] wants through attraction rather than coercion." Soft power derives from "the attractiveness of a nation's culture, political ideals, and policies. When [its] policies are seen as legitimate in the eyes of others, [its] soft power is enhanced." Today, American political ideals have lost much of their global attraction because their appeal has been undermined by U.S. policies and actions that lack legitimacy in the eyes of the world. American

foreign policy will continue to fail until the U.S. regains the international respect it has lost.

Fortunately, history shows that the capacity to lead can be restored when U.S. values and policies are generally in synch. During the first decade and a half of the Cold War, images of racism and segregation in the United States undercut the ability of the U.S. to project moral leadership. By the mid-1960s, however, the civil-rights movement and the leadership of Presidents Kennedy and Johnson had revived this vital capacity.

Similarly, following the disaster in Vietnam, a number of U.S. foreign-policy successes were achieved through bipartisan presidential leadership. President Ford signed the Helsinki Accords, which led to international recognition for the cause of human rights inside the Soviet bloc. President Carter mobilized democratic governments to press for the release of political prisoners held by repressive governments. President Reagan signed the Convention Against Torture and sent it to the Senate, where it was subsequently ratified. President George H.W. Bush joined with Western European governments to nurture the fledgling democracies of post-Cold War Central and Eastern Europe. President Clinton worked with NATO to end the human-rights catastrophe in Bosnia and prevent genocide in Kosovo. Each of these foreign-policy successes was achieved by linking American interests and values.

Three fundamental principles govern the exercise of soft power through the promotion of human rights and the rule of law. The first is practicing what you preach. The U.S. loses credibility when it charges others with violations it is committing itself. It reduces its ability to lead when it acts precipitously without international authority or the support of other nations. The second is obeying the law. Human rights are defined and protected by the U.S. Constitution and by conventions and treaties that have been ratified and incorporated into U.S. domestic law. The U.S. must adhere to these legal obligations if it is to project itself to other countries as a champion of human rights and the rule of law. The third is supporting international institutions. The U.S. should lead the way in reshaping existing international institutions and creating new ones, not attacking them, acting unilaterally, or turning its back whenever it disagrees with what they do.

The administration of President George W. Bush has repeatedly violated each of these principles. It has opened the U.S. to charges of hypocrisy by criticizing other governments for acting outside the rule of law and committing human-rights abuses it has committed itself. The annual *Country Reports on Human Rights Practices* issued by the State Department cover official actions such as “torture and other cruel, inhuman or degrading treatment or punishment,” “detention without charge,” “denial of fair public trial,” and “arbitrary interference with privacy, family, home, or correspondence.” These are the very practices in which the Bush administration itself has systematically engaged, compelling readers of the State Department *Country Reports* to conclude that the U.S. does not practice what it preaches. The 2006 report on Egypt, for example, criticizes the fact that Egyptian police and security forces “detained hundreds of individuals without charge,” that “abuse of prisoners and detainees



by police, security personnel and prison guards remained common,” and that “the [Egyptian] Emergency Law empowers the government to place wiretaps ... without warrants.” These same criticisms apply to the United States.

The Bush administration has diminished a second source of soft power by flaunting basic requirements of international and domestic law. These include the Geneva Conventions, the Convention Against Torture, and the International Convention on Civil and Political Rights, and the Foreign Intelligence Surveillance Act. The result has been the creation of “law-free zones” in which foreign detainees in U.S. custody overseas have been brutally abused, thousands of foreign citizens have been held indefinitely as “unlawful combatants” without being accorded the status of prisoners of war, and repressive regimes around the world have implicitly been given the green light to crack down on political dissidents and religious and ethnic minorities in the name of fighting terrorism.

The administration’s history of disregard for the established framework of international law was made clear by a 2002 memorandum, prepared by the then-White House counsel, Alberto Gonzales, proclaiming that “terrorism ren-

ders obsolete the Geneva Conventions' strict limitations on the questioning of prisoners." No recent president had questioned the basic rules of international humanitarian law in times of war. The administrations of Lyndon B. Johnson, Richard Nixon, and Gerald Ford during the Vietnam War, and George H.W. Bush during the Gulf War, all adhered to the Geneva requirements. The reasons were spelled out in a 2002 memorandum by then-Secretary of State Colin Powell, challenging the Gonzales memo. Powell warned that the White House interpretation of the Geneva Conventions would "reverse over a century of U.S. policy and practice, undermine the protections of the law of war for our troops, and [provoke] negative international reaction, with immediate adverse consequences for our conduct of foreign policy."

A third source of soft power has been undermined by the Bush administration's attacks on and disengagement from international human-rights institutions. The U.S. has been a world leader in building these institutions since the time when Eleanor Roosevelt chaired the international committee that drafted the Universal Declaration of Human Rights. The current administration has renounced that leadership by refusing to run for a seat on the new U.N. Human Rights Council and by undermining efforts to shape the new International Criminal Court (ICC). Both institutions are flawed, but as a result of the administration's disengagement the U.S. now has no influence over their future development.

UNDERCUTTING NATIONAL SECURITY

The Bush administration's record on human rights and the rule of law has undercut the capacity of the U.S. to achieve important foreign-policy goals. The erosion of America's soft power has made it more difficult for the U.S. to succeed in preventing or containing threats of terrorism, genocide, and nuclear proliferation. The denigration of American values has made the U.S. ineffective in promoting human rights and democracy. Indeed, the current administration's frequent disregard of the rule of law has jeopardized five frequently stated foreign-policy objectives.

The first is countering the threats posed by Iraq, Iran, and Afghanistan. For more than a decade these countries have topped the United States' list of dangers to international security. Strategies to reduce the violence and terrorism in Iraq and Afghanistan and to prevent Iran from exporting terrorism and acquiring nuclear weapons require a mixture of hard and soft power. But reports of CIA and U.S. military torture and mistreatment of prisoners at Abu Ghraib and other secret prisons in the region may have weakened the ability of the U.S. to counter the deterioration of human-rights conditions in Iraq and Afghanistan. Similarly, State Department criticism of the Iranian regime's political repression has been blunted by the U.S. record of detainee abuse and illegal electronic surveillance. Years after the U.S. military interventions, Iraq and Afghanistan remain major exporters of terrorism and centers

of human-rights abuse. Iran is a major terrorist exporter and a human-rights disaster.

A second major stated objective of U.S. foreign policy is preventing genocide. The lesson of Rwanda was that the cost of failing to stop genocide is not only a massive killing of innocent civilians but also an ongoing humanitarian catastrophe and long-term regional instability. Following the Rwanda genocide, a doctrine of humanitarian intervention was developed under U.S. leadership and invoked, with broad international support and authority under the Genocide Convention, to end

CHINA HAS PRODUCED AND PUBLICIZED ITS OWN REPORT ON U.S. HUMAN-RIGHTS FAILINGS TO COUNTER U.S. CRITICISM OF CHINA'S RECORD.

the genocide in Bosnia in 1995, and then to prevent a genocide in Kosovo in 1999. Today, that doctrine is in shambles, undermined and discredited by the Bush administration's intervention in Iraq. As a result, the U.S. has been unable to mobilize support to stop the ongoing genocide in Darfur and an entire region of Africa has been destabilized.

Addressing the challenges posed by geopolitical rivals such as China, Russia, and Cuba is a third long-standing concern of U.S. foreign policy. The Bush record has made already-complicated interactions with these countries even more difficult. China is leading the way in effectively exploiting the growing global perception that the U.S. is a human-rights violator. For several years the Chinese government has produced and publicized its own report on U.S. human-rights failings in an attempt to counter U.S. criticism of China's record. China's March 2007 report was particularly blunt: "We urge the U.S. government to acknowledge its own human rights problems and stop interfering in other countries' internal affairs under the pretext of human rights." Russian President Vladimir Putin has been similarly direct in rejecting recent U.S. criticism of the Russian government's press censorship, and Cuba has been quick to point to the U.S. record of detainee abuse at Guantanamo whenever Cuban human-rights practices are challenged by the U.S. The Bush administration has provided China, Russia, and Cuba with a convenient excuse for cracking down on dissidents and minorities under the guise of fighting terrorism within their borders.

Creating and managing strategic alliances is a fourth major U.S. foreign-policy objective. The Bush administration's record on human rights and the rule of law has alienated traditional democratic allies and complicated relations with authoritarian countries. The Council of Europe, a parliamentary assembly of elected representatives from across the continent, has condemned European governments for cooperating with the U.S. in running secret detention centers, and has called for Europe to distance itself from the Bush administration's tactics in the "war on terror." Negative European opinion about U.S. human-rights practices has made it politically difficult for European leaders to support U.S. positions on other issues. And by condoning torture, prisoner abuse, secret detention, illegal surveillance,

and other violations of human rights, the administration has also undercut its ability to promote reform with authoritarian allies like Egypt, Saudi Arabia, Morocco, and Uzbekistan.

Finally, holding accountable those who commit human-rights crimes has been a bedrock objective of U.S. foreign policy since the Nuremberg trials following World War II. The U.S. has long been at the forefront of efforts to create a system of international justice, most recently in the establishment of the International Criminal Tribunals for the Former Yugoslavia and Rwanda. By opposing the International Criminal Court, the Bush administration has relinquished its leadership on these issues. The indispensability of international justice to U.S. foreign policy is illustrated by the administration's retreat in 2006 from outright opposition to the ICC to reluctant acceptance of the U.N. Security Council's referral of the Darfur genocide case to ICC jurisdiction. But this begrudging exception unfortunately proves the rule.

REPAIRING THE DAMAGE

The next president must make repairing the damage to American values and moral authority a top priority. Acting within a framework of the rule of law and respect for human rights will be essential to restoring America's international leadership.

The U.S. must strengthen its alliances by demonstrating it adheres to international norms in pursuing its national-security objectives. The next president should immediately announce that the U.S. will close the detention center at Guantanamo and transfer detainees to the U.S. or detainees' home countries. In addition, the president should announce that the U.S. is bound by the Geneva Conventions as a matter of law and policy. Restoring the U.S. policy of providing individualized status hearings to detainees would demonstrate respect

of human rights. Working toward a consensus on this global issue would help counter the claim that differences in cultural values, religious beliefs, political philosophies, or justifiable ends make it impossible to define the crime of terrorism.

The president should make clear that the U.S. is prepared once again to be an active participant in strengthening the system of international law it helped create over the last half century. Important treaties have lingered for years in the Senate and should now be ratified or renegotiated. Some were signed by Republican presidents and once enjoyed bipartisan support, but have been blocked for the last seven years by the current administration and its Senate supporters. The U.S. should also rejoin negotiations on such critical issues as human rights, international justice, climate change, and nonproliferation of weapons of mass destruction. By doing so, the next president would demonstrate that globalization can be made to work within the rule of law.

The U.S. should support those seeking to promote the rule of law, democracy, and human rights in their own countries. Democracy and human-rights activists are the shock troops in the struggle against terrorism, genocide, and nuclear proliferation. But democracy can never be delivered through the barrel of a gun. Assistance to those who are working to build their own democratic societies must be carefully planned and targeted, sustained over time, and based on a thorough understanding of the unique circumstances and profound differences among cultures, religions, and countries. A new U.S. government must work within an international framework, not unilaterally and preemptively, to assist those struggling around the world to bring human rights to their own societies.

Finally, the U.S. should join with other countries, alliances, and international organizations to reassert America's role in working to prevent or stop genocide and crimes against humanity. The president should invoke the doctrine of humanitarian intervention that was applied in Bosnia and Kosovo in the 1990s to address the genocide in Darfur. Extensive diplomatic and economic tools can be used to head off an impending genocide, but international military intervention remains available under international law if all other avenues have been exhausted.

By recommitting the U.S. to a foreign policy conducted within a framework of human rights and the rule of law, the next president can restore America's moral leadership in the world—and by so doing, enhance American power and security. **TAP**

THE BUSH ADMINISTRATION ONLY RELUCTANTLY ACCEPTED THE UNITED NATION'S REFERRAL OF THE DARFUR GENOCIDE CASE TO ICC JURISDICTION.

for international norms without restricting the government's capacity to conduct lawful interrogations to obtain intelligence information about terrorist activities. Fully applying the Geneva Conventions also would not preclude the U.S. from trying detainees in military commissions.

A second means of underscoring U.S. commitment to address national-security threats within the rule of law would be to provide assistance to other countries for counterterrorism operations that comply with basic human-rights standards. "Fighting terror" has become a convenient excuse for repressive regimes to engage in further repression, often inspiring further terrorism in an increasing cycle of violence. To break this cycle, the U.S. should provide assistance and training to foreign military and law enforcement personnel in methods of fighting terrorism within the rule of law.

The U.S. should take the lead in drafting a comprehensive treaty defining and condemning terrorism within a framework

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What to Really Do About Immigration

Half a million Mexicans will cross the border annually for the next 15 years. Here's a plan to enable them to stay home.

BY JEFF FAUX

The backlash against illegal immigration—which looks like the Republicans' only hope for a wedge issue in next November's election—is largely aimed at Latinos, of whom the vast majority are Mexicans. In fact almost 60 percent of all undocumented workers in the United States are from Mexico, and close to 12 million of that country's nationals now live in the U.S. Fix the Mexican part of the problem and the divisive politics of illegal immigration shrink dramatically.

But the news from south of the border is not good. The number of Mexican workers continues to grow faster than the number of Mexican jobs that pay enough to earn a living. And there is no end to this problem in sight. A November 2007 Mexican government report concluded that even if the overall economy grows steadily, low wages and social inequality will continue to generate heavy out-migration to the U.S. at the current annual rate of roughly 500,000—for the next 15 years!

Moreover, Mexico's overall growth is flagging. The International Monetary Fund estimates that Mexico grew slower in 2007 than all but one nation in Latin America. For 2008, it expects Mexico to be at the bottom—below even Haiti. The next few years look particularly grim as well. The slowdown in the U.S. economy is already rippling through Mexico. In the first nine months of 2007, rich Mexicans invested more capital out of the country than rich foreigners invested in Mexico. Remittances from Mexican workers in the U.S.—next to oil revenues (and not counting drugs), the biggest source of the country's foreign exchange—have leveled off. Mexico may also be heading toward its own major financial crisis brought on by sub-prime credit-card loans from the almost totally foreign-owned Mexican banks to consumers who don't earn enough to pay them back.

In January 2008, the last restrictions on imports of corn, wheat, and beans will be lifted, as required by the North American Free Trade Agreement. Despite promises that NAFTA would dramatically reduce Mexican out-migration, it actually accelerated it. Imports of food by highly subsidized U.S. and Canadian agribusinesses have driven millions of people out of Mexico's rural areas. In the absence of jobs in the cities, many moved north where in desperation they risk their lives to cross the border in search of work. Even more will now be coming.

Mexico is not a naturally poor country. It has plenty of resources, including oil, hardworking people, and a domestic market of over 100 million potential consumers. Mexico's problem is that it is ruled by an oligarchy of rich families in a system of hyper-crony capitalism. By facilitating business partnerships between the rich and powerful in all three countries, NAFTA reinforced that system, putting off the need for the Mexican elite to share the benefits of growth with their country's people.

The dirty little secret of Mexican out-migration to the U.S. is that it has been encouraged by the oligarch-run governments of Mexico, as a safety valve to get rid of ambitious, frustrated workers who otherwise could be trouble at home. "If the Americans seal off the border," the wife of a high-ranking Mexican official told me at a dinner recently, "there will be a revolution here." Others around the table nodded. "So," I asked, "the Mexican government is encouraging illegal immigration?" Her husband diplomatically changed the subject, but virtually everyone in Mexico knows that the racketeer coyotes who organize the border crossings could not operate without at least tacit government approval.

Immigration, by definition, is a phenomenon of both sides of a frontier. Yet our egocentric American politics defines the question as if it can be entirely answered within our borders by unilateral U.S. government decisions. Thus framed, it is a debate that Democrats cannot win, because they have no credible response to non-Latino voters' fear that immigration across the southern border is spinning out of control.

The generic solution of the Republican right is simple and easy to understand: Deport people who are here illegally and build an impenetrable wall along the border.

In contrast, the Democratic bumper-sticker solution to illegal immigration is to legalize those who are here. This is certainly a sensible proposal, since wholesale deportation is impractical. But it doesn't deal with the future. Indeed, it is not unreasonable for the average voter to think that legalizing those already here would increase the incentive for those who still want to come.

This has led some Democrats—including liberals like Sen. Ted Kennedy—to endorse George Bush's proposal to legalize future flows with a program of temporary "guest workers."

Popular resistance to such a program is high, however, and the House of Representatives last year said no. This year the Senate approved a bill that would allow a maximum of 200,000 temporary workers from all countries to work here at any one time. This is the highest number that could conceivably gain enough political support for passage, and it is too small to accommodate anything near the number of Mexican workers who will be heading for the border in the next decade or so.

This leaves the Democrats with nothing to say about the future. The confused response of the otherwise cool and well-prepared Hillary Clinton to the question of issuing driver's licenses to undocumented immigrants illustrates the danger. The Democrats will look weak—unable to stand up to their Latino constituency and at the same time dragged by the backlash further toward the GOP harder line. No one should underestimate the capacity of the Republican campaign apparatus to drive this visceral wedge deep and hard into the electorate's consciousness.

To get out of this box, Democrats need to redefine the issue as a problem on both sides of the border. Specifically, this means a call to revise the failed NAFTA in order, among other things, to stimulate economic growth in Mexico and assure that its benefits are widely shared within the country.

The bargain that undergirded the creation of the European Union could serve as a rough model. When the EU was being negotiated, many in France, Germany, Great Britain, and other wealthier countries feared that they would be flooded with workers from poorer nations like Spain, Portugal, Ireland, and Greece. To prevent that, the EU provided a substantial transfer of investment funds to generate job growth in the poorer countries. It worked. Despite the EU's provision for free movement of labor across the borders, when offered reasonable economic opportunities, workers in the poor countries stayed home.

The aim of a renegotiated NAFTA would be to provide for a similar fund for investment in Mexico in exchange for changes in Mexican law and institutions that would allow the income of Mexican workers to rise as their economy grows. These would include guarantees for free trade unions, enforceable minimum wages, and an increase in education, and other social spending. The cost would be about \$100 billion, although much of it would be in the form of loan guarantees rather than cash. Not an insignificant sum, but certainly affordable.

Advocating a NAFTA renegotiation should not be a big stretch for any of the three Democratic front-runners. All have supported it in vague terms already. And in all three signatory countries, there are important political forces that would support a new agreement. Polls show that most people in all



IMMIGRATION IS A PHENOMENON OF BOTH SIDES OF A BORDER; SOONER OR LATER, THE U.S. WILL HAVE TO INCLUDE MEXICO IN ANY SERIOUS EFFORT TO CONTROL IT.

three countries think that NAFTA was a bad deal for them. In the U.S. and Canada, labor and environmental groups want stronger social protections. In Mexico, many groups have been agitating for a revision of the agricultural provisions of the agreement, only to be told to forget about it because the Americans would never renegotiate NAFTA.

The Mexican big business elites—like their U.S. and Canadian counterparts—would of course rather leave things as they are. But the current Mexican president “won” election (many believe it was stolen) last year over his leftist rival by one-half of 1 percent. It would be very hard for his Mexican government to reject an open invitation by the next president of the United States to conclude a new bargain designed to lift up Mexico's own workers, especially if it were coupled with a threat to seal off the border were it rejected.

Sooner or later, the U.S. will have to include Mexico in any serious effort to control illegal immigration. By starting this conversation now, the Democrats can wrest the initiative out of the hands of the right wing and build a consensus for a policy prescription that fits the geography of the problem. The alternative is to let the resentment fester and hope that the Republicans will keep their attack dogs leashed. Fat chance. **TAP**

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Color, Values, America

One key task of the next president is to restore a nation of laws and of rights, rooted deeply in values. This effort must appeal to all Americans and transcend race—but cannot ignore race.

BY MARIA ECHAVESTE AND CHRISTOPHER EDLEY JR.

To unite us in pursuing the ambitious agenda demanded by the times, the next president must ground bold initiatives in a compelling vision of community, from neighborhood to globe. If successful, that vision will not resemble some blueprint for policy-plumbing. It will be a tapestry of values and aspirations that evokes and summons the best of what we can be.

We have two central propositions. The first concerns vision and values, the second concerns vision and color.

It is no accident that the opening verses of our secular torah, the Constitution, proclaim the equality of, well, “men,” followed immediately by the revolutionary proposition that we have “inalienable rights.” The most dramatic chapters in our domestic national history have been about correcting, contesting, and completing these proclamations. If the chapter that opens on Election Day 2008 is to be as dramatic and *American* as we hope, then both the discourse and policies surrounding a boldly enriched set of rights and liberties must be far more than embroidery to the vision. They should be one of the design elements. As we confront terrorism and inequality, exploding diversity and dizzying globalization, nothing less will do.

Our second proposition is that color often gets in the way of achieving moral and political consensus. Race and ethnicity are frequently subtexts and sometimes explicit factors in battles about public education, income security, health-care access, and even about how aggressively to respond to genocide. Progressives conventionally subordinate or ignore the challenge of color lines by arguing, if they bother, that just about anything would be a better basis for policy—class, gender, generation, or geography.

However color-free a policy may be on its face—think Social Security or immigration or universal preschool—it is naive to think that analysis of the merits of a question, both substantively and politically, can be free of the baggage we all carry around regarding racial and ethnic differences. Without strategies to map, declaim, and bridge our color lines, we won’t find consensus on fundamental propositions. This is true regarding individual responsibility, intergenerational mobility, shared

economic fates, international peacekeeping or humanitarian relief, and so much more.

In short, the next president should recognize that leading the nation on issues of race and rights is not only the way to reach hearts and civic souls but is also a necessary strategy to bridge the differences that could produce consensus on bold progress. The campaign apparatchiks and their cousins in the punditry are wrong. This is not the third rail. This is the way forward.

THREE OVERARCHING STRATEGIES

Many can come up with the inevitable laundry list of tasks for a new administration. The harder and more important job is deciding on the much smaller set of ideas—value propositions—that will be truly presidential, serving to frame and motivate the myriad details.

Theme 1: Bull Connor is dead, but our capacity to misunderstand, mistrust, and even hate based on racial and ethnic differences did not die with him. America’s racial-justice exhaustion came too soon, before the stain of Jim Crow was fully washed away.

Whether out of deeply held ideological beliefs or political expediency, Republican presidents and Congress have engaged in a steady assault on anti-discrimination law and civil-rights enforcement. Therefore, three decades of steady erosion in anti-discrimination law and enforcement must be confronted and repaired by the next president and Congress.

Democratic participation is undermined by ineffective enforcement of minority rights, and by conspiracies to deceive minority voters about polling times, places, and procedures. School districts and local governments allocate resources and services in discriminatory ways. Environmental burdens and hazards disproportionately affect poor and minority communities that lack the political or economic power to protect themselves. Prison conditions stretch the Eighth Amendment beyond breaking. And research shows surprisingly high continuing levels of garden variety discrimination in entry-level jobs, retail sales, and housing.

Retail federal enforcement by itself will never do the job.

A substantial increase in state enforcement efforts, however, should be possible with federal encouragement and matching funds. Stronger provisions for awarding attorneys' fees to both private and public plaintiffs who prevail can augment the enforcement effort. A president first needs to lead public opinion to accept that this effort redeems America, not just for minorities but for us all. Lyndon B. Johnson was the last president to speak such language.

As in other realms, civil-rights litigation and enforcement have a deterrent effect, but the educative effect is undoubtedly the more powerful benefit. Millions of people changed their behavior over the years not because they were sued but because they were persuaded to participate in a different and better kind of community.

Theme 2: It's not enough, however, to push bigotry beyond the pale of our moral community; we also need a determined, fervent effort to fill that chasm of deep disparities, which, by dividing us, separates us from the America we want to be.

From dropout rates to crime rates, from the incidence of childhood asthma to the prevalence of teen pregnancies, these problems can't be blamed on the bigoted acts of identifiable individuals or institutions. Traditional civil-rights efforts are necessary but not sufficient. Part of the new remedy, as Bill Clinton finally persuaded progressives, lies in individual responsibility. But the more politically challenging part of the remedy is defining and embracing our collective duty to heal the community by tackling hope-killing disparities with fervor and boldness.

The No Child Left Behind statute provides an example. From a civil-rights perspective, this education law is perhaps the most important legislative development in the racial-justice arena in 25 years. The statute, first, makes visible the sharp disparities in achievement measures, graduation rates, and access to highly qualified teachers. The targeted disparities include race or ethnicity, poverty, English language learner status, and special education. Putting the spotlight on local

regardless of the absence of racial animus. Only leadership from the next president can redeem that promise.

This same kind of progress should be possible in several other areas, including health-care access and quality, environmental justice, school discipline, the cascading disparities in multiple stages of the criminal justice system, the distribution of benefits from public investment in transportation services and infrastructure, access to quality post-secondary education (especially in the struggling community college systems), and more.

In short, the next president can take a page from the transformative Kennedy and Johnson years, when a series of social and economic rights was advanced and America was forever changed—changed by the painting of a different vision of America, one reflecting a new and better understanding of our civitah. The emergence of those rights was not the final chapter. Indeed, we went on to disability rights and gay rights. The next president can write another chapter by engaging the divisions that are most apparent in, but not limited to, matters of color. The advancement of rights protecting groups and rights furthering values are themselves the soul of what the Declaration of Independence and the Constitution must mean for tomorrow. History teaches that for a people quite capable of great followership all that's required is a president capable of great leadership.

Theme 3: Color-based fear now threatens us in ways that go to the core of America's best values. We have poisoned our politics, and hence our policy-making, by demonizing people who vaguely resemble some equally vague, ill-informed image of an "Arab." The immigration debate has taken on a virulent tenor. These battles are defined as security and prosperity versus liberty and tolerance, when the true battle is between commitment to our core beliefs and fear of those who are different.

Our Constitution makes inevitable the struggles to define our liberties in relation to the circumstances of the day. The next president can tilt those struggles in favor of smart security strategies that are faithful to our shared notions of liberty. We need to challenge the regulatory and legisla-

tive changes that were infected from conception by the fearful environment following September 11. These range from the permissive surveillance regime, to scandalous interrogation techniques, to

the offense to the rule of law in the Bush administration's approach toward denying detainees' access to counsel and court. In many cases, the failures here are bipartisan, with Congress failing to exercise its clear powers under Article I of the Constitution, even as the president has claimed sweeping authority under the vague, gestural phrases of Article II. The FISA court, the secrecy-shrouded panel of federal judges that handles warrant requests for domestic intelligence-gathering activity, is more lapdog than watchdog. The next administration, together with Congress, must investigate and provide the public with convincing reassurance that the Constitution still protects the individual from state excesses.

Beyond public and judicial checks, abuses by the government

THREE DECADES OF STEADY EROSION IN ANTI-DISCRIMINATION LAW AND ENFORCEMENT MUST BE REPAIRED BY THE NEXT PRESIDENT AND CONGRESS.

performance data is, by itself, often disturbing. In many communities this disrupts the profound complacency surrounding educational failure and disadvantage.

Second, the law holds school officials accountable for failing to make adequate yearly progress in narrowing those disparities, and applies a steadily escalating series of interventions, mixing carrots with sticks, in the hope of saving kids. However, the statute has been woefully underfunded, has too-easily manipulated benchmarks, and often rewards teaching to the test rather than inspiring children to learn. The law is unlikely to be reauthorized in its present form. Yet the impetus behind NCLB was a bipartisan, collective cry from the heart that these yawning disparities must not be acceptable in America,



can often be curbed within the executive branch by procedural safeguards—strategies for “internal” checks and balances. The legislation creating the Department of Homeland Security, for example, includes inspector general–like functions related to privacy and civil liberties. These can be strengthened greatly, and their model extended more broadly to intelligence, security, investigative, and enforcement agencies. There is something to learn from experience with the more pro-

saic outrage of racial profiling of African American drivers and similar situations. Many law enforcement agencies have reported success from improved training programs to combat profiling, and similar strategies might be developed in the context of homeland security.

Color-based fear also explains why the immigration debate is rife with poll-tested IEDs—that’s Ill-informed Exploding Demagoguery. The next president must push comprehensive immigration reform and immigrant integration because these legislative measures make economic sense for businesses and consumers, they make moral sense for the children we are punishing because their parents broke the law, and they make humanitarian sense for the 12 million people already here with us, living in the shadows. All of this good sense, however, is not good enough to win the fights. The next president will have to lead with the vision and values that make us appreciate that pragmatic and humane immigration policy is the only way to weave the fabric of tomorrow’s renewed America.

Here’s what comprehensive immigration reform should mean. First, we need to increase border security, even while recognizing that this alone will not stop illegal entries. At the same time, we must end the humanitarian nightmare of people dying as they cross treacherous desert stretches in order to avoid enhanced border security. And this must be done without noxious profiling and inspection points, because America’s here-and-now diversity means the notion of a “typical” American phenotype is more absurd than ever.

Along with effective border security, we need an even more effective workplace-enforcement scheme that starts with ensuring full labor rights for all workers, regardless of legal status. Yet, that is not enough; we need real penalties against employers who continue to hire the undocumented, now that technology and accurate databases finally permit employers to verify the work authorization of workers in a neutral, non-discriminatory, and universal fashion.

We must also create a path to legalization, and eventually to citizenship, for people now here illegally who have stayed out of serious trouble, who pay a fine, and who go to the end of the line to get citizenship. In addition, we need a program to deal with the future flow of immigrants. That means limiting family reunification preferences to a narrower nuclear family but at the same time expanding the number of immigrants admitted annually.

A massive increase in programs to teach English to immigrants is necessary as well. Every study proves immigrants want to learn English (yes, they want good jobs at good wages), and their children and grandchildren are learning English as rapidly as earlier immigrants’ descendants did. We need a new word: “Xenolinguaphobia” is the irrational fear of being near people who don’t speak American. (Medication is available, to be covered by national health insurance.)

The complex politics and policy-engineering required for all of this seems virtually impossible in the atmosphere charged with fear and resentment of the “other.” Immigrants have always arrived as the other. But Latino immigrants, and to a lesser extent Asian immigrants, find themselves racialized, caught up in the (now informal) hierarchy of color. Leadership on immigration entails leadership on race.

THE SNARE OF UNIVERSALISM

Leaders, especially of the political species, prefer talking about the things we can agree on rather than the things that divide us. Color is just about the biggest divider we have, and as far as we can tell, wherever the political operatives of today go to get their training, the curriculum teaches them to avoid race. But Justice Harry Blackmun wrote over a quarter of a century ago that to get beyond racism we must pay attention to race—an injunction that remains true because color continues to shape our lives in powerful ways.

Of course, with America’s racial-justice exhaustion, there’s an argument that ignoring race and just talking about universal concerns and color-free policies is smart politics. But this strategy is morally hollow, and it is ultimately self-defeating for two reasons. First, our divisions won’t disappear by ignoring them. Second, so long as the divisions go unchallenged there can be no moral consensus to deal effectively with discrimination and disparities, with fears and misunderstanding.

While deracialized universalism is a snare, it is possible that the pursuit of these higher interests and deeper moral claims is its own kind of universalism. What do the lofty aspirations in our founding words mean for this century? There is no better way to find an answer—to *make* the answer—than to take on our enduring challenge of color. Smart politics is not the same as wise leadership. Indeed, we identify the transformative political leaders in our history by their demonstrated willingness to eschew smart politics and pursue our higher interests and America’s deeper morality. **TAP**

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Why 2009 Is the Year for Universal Health Care

It's not 1994 all over again. The next president can get the reforms that Harry Truman and Bill Clinton couldn't.

BY EZRA KLEIN

In the best of circumstances, presidential libraries are a strange combination of leftover campaign literature and newfound architectural ambition. Even so, the Clinton Presidential Library, in Little Rock, Arkansas, is notable for approaching its subject with all the depth of a coloring book. Eight years of presidential policies, political battles, and world events are sorted into 20-odd “policy alcoves,” all of which come complete with titles right from the campaign. The first, for instance, is “Putting People First.” Here, behind reinforced glass tattooed with inspirational excerpts from Bill Clinton’s speeches, the administration’s entire record on social policy is condensed into a couple of blow-up photos and capsule summaries. And right there, between “caring for children” and “welfare reform,” is the library’s exhibit on the 1994 health-care battle. It gets 144 words.

Uncharitable observers might sneer that this is all it deserves. They would be wrong. The 1994 health-reform fight was a tremendous, courageous undertaking that the nascent Clinton administration approached seriously, substantively, and stupidly. Its defeat, which preceded an election in which the Democrats lost 52 House seats and control of Congress, inflicted enormous psychic trauma on every level of the Democratic establishment—the politicians, the political consultants, the advocacy community, and the hundreds of wonks and experts who participated in the plan’s creation. It taught many that health care is simply too big, too complicated, too dangerous to touch. Since the drubbing, Democrats have been afraid, as former Sen. Bill Bradley put it, “to go back into that room where that bad thing happened.”

But Democrats need to return to that room—and bipartisan universal health-care campaigns in Massachusetts, California, Wisconsin, and many other states have opened the door. In the Congress, Sen. Ron Wyden’s Healthy Americans Act has attracted 10 co-sponsors, six of them Republican. In the presidential campaign, all of the major Democrats proposed comprehensive plans. Talk of reform once again floats through Washington.

But as the Clinton Library display attests, the moment has looked propitious for change before, and failure has been all the harsher for it. Health care, which now comprises a full one-seventh of the economy, is hard to reform. Harry Tru-

man failed, as did Richard Nixon and Bill Clinton. Franklin D. Roosevelt didn’t even try, believing any attempt would not only fail but take down Social Security, too. And the system has only grown larger and more entrenched in the years since. Health care is now a multi-trillion dollar industry that generates billions in profit streams for all manner of powerful actors. Medical coverage and its attendant costs are a source of acute anxiety for Americans. About 84 percent of the population has health insurance, and, crucially, 94 percent of voters do, but they are deeply afraid of losing what they already possess.

In 1994, reformers were hampered by the belief that the rules of bipartisanship were still in effect and a collection of public-minded senators would eventually come together to enact reform. They weren’t prepared for a Republican Party animated by William Kristol’s famous memo, “Defeating President Clinton’s Health Care Proposal,” which darkly warned that a Democratic victory would save Clinton’s political career, revive the politics of the welfare state, and ensure Democratic majorities far into the future. “Any Republican urge to negotiate a ‘least bad’ compromise with the Democrats,” wrote Kristol, “... should also be resisted.” Today, the basic arithmetic of the Senate remains unfriendly, with a 60-vote supermajority still required to move major legislation.

Even so, every major Democrat running for president has promised to make health-care reform the top domestic priority of their first term. And they will do so atop a community of advocates, analysts, organizers, and congressmen who are more battle-hardened than they, or their counterparts, were in 1994. Perhaps most important, they are working within a system much closer to collapse and much worse for business.

In sum, a new Democratic president should have the best shot in a very long time—perhaps, ever—to create, at long last, a universal health-care system in America. To do so, however, will mean avoiding the manifold mistakes of the past. And, happily, there’s some evidence that health reform’s champions are doing just that.

You can see it in the bills. The problem with Bill Clinton’s health-care legislation was not its mythical complexity, or the size of the legislation, but that it placed the policy before the

politics. Though the legislation accurately reflected the concerns of health economists and policy specialists, it did not accurately reflect the concerns of voters. Where the 1990–1991 recession, which hit white-collar workers particularly hard, left most Americans terrified that they could lose the health care they had, the Clinton bill promised they would lose that health care. The sort of comforting lines reformers offer today—“if you like your current care, nothing will change,” or “you’ll get the same health care members of Congress have,” or “it’s just like Medicare”—couldn’t be uttered in 1994 because they weren’t true. The line the Clinton campaign did use, “health security that can never be taken away,” floundered because, before the plan offered that security, the health security that Americans currently trusted *would* be taken away.

“They couldn’t defend it in simple terms,” says Yale political scientist Jacob Hacker, “because it actually meant a complex set of changes for most Americans.” There was no concrete reference point because the legislation was building something that didn’t yet exist. The administration’s argument, in essence, was “trust us.” But when it comes to health care, it’s one thing to make the system better and a whole other to remake it anew. You can ask Americans to walk forward, slowly, knowing they can scramble back to the ledge if need be. You cannot ask them to jump.

By contrast, all the major Democrats currently campaigning for president have proposed essentially similar health-care plans based on three planks: Universal access, an expansion of something like the Federal Employees Health Benefits Program that includes a public insurance option, and the preservation of current insurance choices. This is not, from a purely policy standpoint, the best way forward. These plans do not fully integrate the system, and initially, they will not do enough to control costs. But politically, they’re just about the only way forward. What those three planks translate into are three arguments that will undergird the case for reform: If you like your current health-care coverage, nothing will change; if you’re not satisfied with your current coverage, you can buy into the same health-care plan that members of Congress use; and no matter what you decide, you will have more choices than you have now. That is how health care will be explained: no forced changes to your current insurance, the same coverage that those fat cats in Congress enjoy, and a broad menu of new choices offering an unprecedented array of options to those who want them.

The Democrats’ understanding of the political process required to enact health-care reform has improved as well. “I was the biggest error [of the Clinton health-care bill],” says Sara Rosenbaum, who was one of a handful of executive branch officials who drafted the legislation. “It was a terrible error to have the president doing what Congress was supposed to do. It was a misuse of the relationship between the legislative branch and the executive branch. The executive branch is supposed to generate action, and the committees are supposed to actually take the action. By sending a 1,300-page bill, you’re writing a detailed blueprint for the policy rather than using the

congressional process to create a consensus.” By constructing the president’s bill within the executive branch, rather than with the Congress, the administration opted out of a policy process dedicated to finding workable political compromises and instead created a brain trust of wonks who, as wonks will, sought to construct the perfect policy compromise. The problem is they mistook the policy compromise for a political compromise, which their handiwork manifestly wasn’t.

This time, the process has already started within the halls of Congress. Wyden’s Healthy Americans Act, a universal-coverage bill that opens up menus of regulated insurance choices to everyone in the country, subsidizes coverage up to 350 percent of the poverty line, and slows spending growth is co-sponsored by six Republicans: Judd Gregg, Mike Crapo, Chuck Grassley, Robert Bennett, Lamar Alexander, and Norm Coleman. None are names you customarily see attached to Democratic bills. “I think we’re building the sort of coalition that can break 60 years of paralysis,” says Wyden.

For the first time in decades, congressional power players are talking seriously about concrete health-reform legislation. “To grow a healthy crop, you have to prepare the soil,” says Sen. Max Baucus, now chairman of the Senate Finance Committee. “The Finance Committee will hold an aggressive series of hear-

OUR HEALTH CARE SYSTEM, AS CURRENTLY COMPOSED, CANNOT GO ON FOREVER. REFORM IS NOT A QUESTION OF IF, BUT WHEN, AND HOW.

ings next year [2008] on comprehensive health-care reform. ... Next year can be a prime time for ideas, a time to lay the groundwork for immediate action when a new president and a fresh Congress take the field in 2009.” Whatever the legislation that may emerge from this process, the momentum for change is certainly building.

Additionally, the Democrats know they need to actually pass a bill, rather than simply fight for their perfect plan. “It will take full-court press by the White House,” says Rep. Pete Stark, chairman of the Health Subcommittee in the House, and a longtime champion of Medicare-for-All, “and a lot of compromise, even from people like me. It couldn’t be single-payer or raise a huge amount of taxes.” Seeing all this, former Senate Majority Leader Tom Daschle can only marvel in appreciation. “I don’t think there’s any question that more and more members on the Democratic side are aware of, and committed to, the need for health reform,” he says. “It’s a better legislative environment than we had before.”

You can also see the increased savvy in the coalition building, in the early organizing. The unions are onboard early. “Our forces are stronger, smarter, have learned lessons, and understand the need to address [the public’s concerns] from the start,” says Heather Booth, who is coordinating the AFL-CIO campaign. “And I think the right wing is fracturing, less confident, and the public is more aware of their false solutions.”

And this time, labor will have allies that simply didn’t exist



in 1994. “One of the big problems with moving health care,” says Eli Pariser of MoveOn.org, “is that there haven’t been health-care constituency organizations in the way there are on the environment, civil liberties, and so forth.” But the new progressive groups are multi-issue, able to refocus quickly and in response to the demands of their members. Health care is a major issue for their members. That’s why MoveOn partnered with unions and other groups to force a major battle over the expansion of S-CHIP. “The Bush years have taught progressives how to do political campaigns in a different way,” continues Pariser. “It’s not enough to state your argument and hope for the best. You have to get out into the country and build constituencies in key districts and have the apparatus and enforce discipline.” Which they’ve done. House Democrats, unable to overwhelm the president’s veto, haven’t blinked on S-CHIP, haven’t rushed to the table, haven’t begged for compromise. And many are calling this “spring training” for universal health care. “The true story of S-CHIP won’t be written until next fall,” predicts Pariser, “when Republicans are facing their constituents and getting thrown out of office. If that’s what happens in November, that’s what sets the terms for the next fight.”

Think of it as the Harris Wofford strategy in reverse. Where Wofford’s 1991 upset victory in the Pennsylvania Senate election taught politicians that there’s a potential upside in supporting universal health-care reform, the progressive movement is readying a massive campaign to teach the lesson that it’s dangerous to oppose it. Internal Democratic Congressional Campaign Committee polling leaked to *Roll Call* offers support for this strategy: Polling in Michigan’s 9th District showed that advertisements criticizing Republican Rep. Joe Knollenberg’s vote on S-CHIP had knocked him down 5 points in the polls and that a push question underscoring his opposition to the program’s expansion

produced a 14-point swing toward the Democratic candidate.

Perhaps most important, business seems both exhausted by the ceaseless march of health-care costs and ready for reform. In 1994, when managed care was just beginning to squeeze cost growth, health spending grew by a mere 4.1 percent. It looked as if the private sector might prove able to control costs just fine. But the gains from managed care dissipated as the 1990s wore on, and in 2005, health spending grew by 7.4 percent. Much of that cost was borne by the business community.

“It’s a global competitiveness issue,” says Charles Kolb, president of the Committee for Economic Development, a business coalition. “Even if it weren’t, it’s a cost issue. Health-care costs are growing at a rate that’s simply not sustainable. [Our members] are in the business of business, not the business of health care.”

“Our first health-care report came out in 2002,” says Kolb. “We were trying to shore up the employer system. But now we’re saying it’s not fixable. Five years ago, we thought it was.”

Even the National Federation of Independent Business (NFIB), which was militantly anti-reform in 1994, has joined a prominent health-care coalition organized by the Services Employees International Union. Indeed, NFIB president Todd Stottlemeyer writes, “We must find a way to fundamentally alter the forces driving costs. ... We will do nothing less than commit every resource to fight for a health-care system that makes affordable, quality health care available to everyone.” An offhand comment by Sen. Wyden suggests Stottlemeyer may mean business. “The businesses, in 1993, that said they couldn’t survive health-care reform are now saying they can’t survive without it. I talk to Todd Stottlemeyer, the president of the NFIB, once a week!”

None of this is to underplay the obstacles that still stand before reform. Business can still grow skittish, the Republicans can still unite in opposition, and the Democrats can prove cowardly or incompetent. But the forces pushing reform are not, at bottom, political. They are not to be found in the Congress or the advocacy groups. They are to be found within the accelerating deterioration of the health-care system itself.

In 1994, 37 million Americans were uninsured. In 2007, 47 million are. Between 1996 and 2005, an employee’s spending on health premiums for his or her family has shot up 85 percent—and incomes, of course, have not followed.

“My [personal] index,” says Len Nichols, director of the New America Foundation’s health-policy program, “is the ratio of family premiums to median family income. In 1987, it was 7 percent. Today it’s 17 percent. That fundamental dynamic, that health-care costs are growing so much faster than economic productivity, means that even though unemployment is so low and the macroeconomic indicators are good, there’s still intense, acute anxiety.”

In economics, there’s a famous dictum known as Stein’s Law, which states that when something cannot go on forever, it will stop. Our health-care system, as currently composed, cannot go on forever. It will wreck our economy, collapse our businesses, render both private and public insurance unaffordable. And so, it will stop. Reform is not a question of if, but when and how. And just think what a library exhibit it will make. **TAP**

Leaving “No Child Left Behind” Behind

Our No. 1 education program is incoherent, unworkable, and doomed. But the next president still can have a huge impact on improving American schooling.

BY RICHARD ROTHSTEIN

The next president has a unique opportunity to start from scratch in education policy, without the deadweight of a failed, inherited No Child Left Behind (NCLB) law. The new president and Congress can recapture the “small d” democratic mantle by restoring local control of education, while initiating policies for which the federal government is uniquely suited—providing better achievement data and equalizing the states’ fiscal capacity to provide for all children.

This opportunity exists because NCLB is dead. It will not be reauthorized—not this year, not ever. The coalition that promoted the 2001 bipartisan law has hopelessly splintered, although NCLB’s advocates in the administration and the Congress continue to imagine (at least publicly) that tinkering can put it back together.

NCLB, requiring annual reading and math tests in grades 3 through 8 (and one such test in high school), represents an unprecedented federal takeover of education. It punishes schools not making “adequate yearly progress” toward having all students proficient at “challenging” standards by 2014, regardless of students’ socioeconomic disadvantages or even of their cognitive disabilities.

Many Republicans supported NCLB out of loyalty to President Bush and because Karl Rove assured them that their vow to improve minority achievement would entice African Americans away from the Democrats. But now, with Democratic congressional majorities and a possible presidency, Republicans have rediscovered their belief in local control of education. Few now support reauthorization.

Many Democrats were equally cynical in supporting NCLB. Some believed a law demanding unrealistic achievement targets would justify big boosts in federal spending when targets proved unattainable. Others, arguing that low minority scores result mainly from poor teaching (“low expectations”), expected that federal demands for higher achievement would whip teachers into shape, even if the mandated goals were fanciful.

What few Democrats understood, however, was that test-based accountability might spur teachers but would also corrupt schooling in ways that overshadowed any possible score

increases. Excessive testing is now so unpopular that Congress’ newly elected Democrats campaigned in 2006 against NCLB and now won’t support reauthorization. Senior Democrats are also hearing from parents, teachers, school boards, and state legislators.

Sen. Edward Kennedy of Massachusetts and Rep. George Miller of California, who sponsored the original legislation, promise colleagues that they can fix NCLB. But no fixes are possible. Weakening rigid testing requirements provokes denunciation from President Bush and Secretary of Education Margaret Spellings, who unabashedly calls the law “99.9 percent pure.”

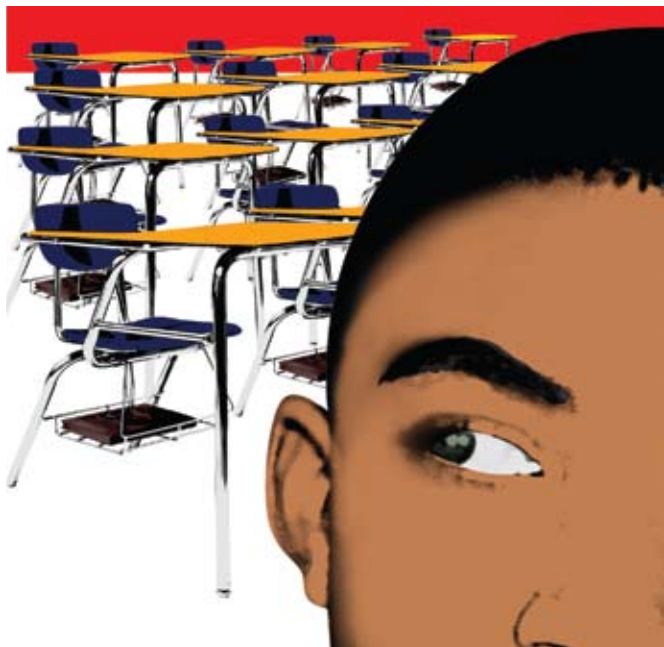
But NCLB was flawed from the start. The 2001–2002 stampede ignored well-established statistical and management theories predicting perverse consequences for test-based accountability.

GOAL DISTORTION

One such consequence is goal distortion, the subject of extensive warnings in the economics and management literature about measuring any institution’s performance by quantitative indicators that reflect only some institutional goals. Management expert W. Edwards Deming urged businesses to “eliminate management by numbers, numerical goals” because they encourage short-, not long-term vision. Peter Drucker gave similar advice. Today, management consultants urge “balanced scorecards” using qualitative judgment, as well as financial indicators, to measure corporate success.

Schools have many goals for students: basic math and reading skills but also critical thinking, citizenship, physical- and emotional-health habits, arts appreciation, self-discipline, responsibility, and conflict resolution. Schools threatened with sanctions for failure in only one goal will inevitably divert attention from others. One NCLB consequence has been less social studies, science, art, music, and physical education—particularly for low-income children, whose math and reading scores are lowest and for whose teachers the consequences of spending time on, say, history, rather than more math drill, are most severe.

Goal distortion has been particularly troubling, as it should be, to conservatives. Two former assistant secretaries of educa-



tion (under Ronald Reagan and Bush père), Chester Finn and Diane Ravitch, once prominent NCLB advocates, now write:

We should have seen this coming ... more emphasis on some things would inevitably mean less attention to others. ... We were wrong.

They conclude:

[If NCLB continues,] rich kids will study philosophy and art, music and history, while their poor peers fill in bubbles on test sheets. The lucky few will spawn the next generation of tycoons, political leaders, inventors, authors, artists and entrepreneurs. The less lucky masses will see narrower opportunities.

TEST RELIABILITY

NCLB relies on an annual test, but single tests can be misleading. Every parent knows children have good and bad days. Every teacher knows particular classes can be talented or difficult. Entire classes can be attentive or distracted. So accurate measurement requires multiple retesting. Most schools are too small for statistical confidence that children's good and bad days will average out on one test. Because a school's subgroups (blacks, Hispanics, or low-income children) are smaller than a full-grade cohort, the margin of error for subgroup achievement is even larger. The more integrated a school, with more subgroups, the more inaccurate accountability becomes.

When the Bush administration and Congress were designing NCLB, two economists (Thomas Kane and Douglas Staiger) demonstrated that many schools would be rewarded or punished solely because of these statistical challenges. Their paper derailed NCLB for six months while administration and congressional experts tried to finesse the problems. They couldn't but enacted NCLB anyway, which engendered remarkable anomalies: schools rewarded one year and punished the next

despite identical levels of effectiveness; schools rewarded under a state's system and simultaneously punished under the federal one, or vice versa. Some states dodge these absurdities by reporting large error margins with test scores, but this hides poorly performing as well as misidentified schools, and draws the wrath of accountability enthusiasts.

THE PROFICIENCY MYTH

Even with inordinate attention to math and reading, it is practically and conceptually ludicrous to expect all students to be proficient at challenging levels. Even if we eliminated all disparities based on socioeconomic status, human variability prevents a single standard from challenging all. The normal I.Q. range, 85 to 115, includes about two-thirds of the population. "Challenging" achievement for those at 115 would be impossibly hard for those at 85, and "challenging" achievement for those at 85 would be too easy for those at 115.

The law strongly implies that "challenging" standards are those of the National Assessment of Educational Progress (NAEP), periodic federal tests of national student samples. But while NAEP tests are excellent, their proficiency cut-points have no credibility. Passing scores are arbitrary, fancifully defined by panels of teachers, politicians, and laypeople. Many children in the highest-scoring countries don't achieve them. Taiwan is tops in math, but 40 to 60 percent of Taiwanese students are below proficient by NAEP standards. Swedish students are the best readers in the world, but two-thirds are not NAEP-proficient.

Expecting all Americans to perform at this level can only set them, their teachers, and schools up for failure. (Actually, this charge is slightly exaggerated: NCLB exempts the most severely disabled, requiring only U.S. children with I.Q.s above 65 to be as proficient as the top half of the Taiwanese.)

In a rare bow to local control, NCLB doesn't enact NAEP's proficiency definitions but permits states to invent their own. Not surprisingly, some define proficiency far below "challenging" expectations, and the Department of Education has little choice but to let this pass; if it enforces high standards, the already unacceptably large number of failing schools would be astronomical. But low state passing points are a sore spot for NCLB advocates, who propose to correct this with high national standards. Their demand makes reauthorization even less probable.

THE BUBBLE KIDS

Any single proficiency standard invites sabotaging the goal of teaching all children, because the only ones who matter are those with scores just below passing. Educators call them "bubble kids" a term from poker and basketball, where bubble players or teams are those just on the cusp of elimination. Explicit school policies now demand that teachers ignore already-proficient children to focus only on bubble kids, because inching the bubbles past the standard is all that matters for "adequate yearly progress."

Less obvious are incentives also to ignore children far below proficiency, whom even constant drilling won't pull across the finish line. Because all must eventually (by 2014) pass, ignoring poorer performers should, in the long run, be counterproduc-

tive. But NCLB places no premium on the long run. Educators can't worry about possible distant punishment. And since most consider the 2014 goal absurd, they have good reason to expect it to be abandoned, further reducing incentives to worry about the lowest achievers. What's more, the higher the standard, the more children there are who are too far below proficiency to worry about. So the law guarantees that more disadvantaged children will be left further behind, especially in states with higher standards.

For bubble kids, schools have substituted test prep for good instruction. With test development costly, states use similar tests repeatedly, guiding teachers to stress content they suspect will reappear. Teachers impart test-taking skills (like how to guess multiple-choice answers) that don't deepen understanding of math and reading. In the weeks before testing, schools step up drilling; this does little to help children retain what they learned. Thus, student scores on state tests are not duplicated in NAEP, which is less subject to test-prep corruption. Administered only to representative samples of schools and students, with more emphasis on critical thinking, NAEP scores have not shot up along with state test results. NAEP math scores have increased a little, but at about the same rate as before NCLB's adoption—suggesting that, for all its other problems, NCLB has also been an utter waste of time.

SCHOOLS AND SOCIAL POLICY

In one respect, NCLB betrays core Democratic principles, denying the importance of all social policy but school reform. Inadequate schools are only one reason disadvantaged children perform poorly. They come to school under stress from high-crime neighborhoods and economically insecure households. Their low-cost day-care tends to park them before televisions, rather than provide opportunities for developmentally appropriate play. They switch schools more often because of inadequate housing and rents rising faster than parents' wages. They have greater health problems, some (like lead poisoning or iron-deficiency anemia) directly depressing cognitive ability, and some causing more absenteeism or inattentiveness. Their households include fewer college-educated adults to provide rich intellectual environments, and their parents are less likely to expect academic success. Nearly 15 percent of the black-white test-score gap can be traced to differences in housing mobility, and 25 percent to differences in child- and maternal-health.

Yet NCLB insists that school improvement alone can raise all children to high proficiency. The law anticipates that with higher expectations, better teachers, improved curriculum, and more testing, all youths will attain full academic competence, poised for college and professional success. Natural human variability would still distinguish children, but these distinctions would have nothing to do with family disadvantage. Then there really would be no reason for progressive housing or health and economic policies. The nation's social and economic problems would take care of themselves, by the next generation.

Teachers of children who come to school hungry, scared,

abused, or ill, consider this absurd. But NCLB's aura intimidates educators from acknowledging the obvious. Teachers are expected to repeat the mantra "all children can learn," a truth carrying the mendacious implication that the level to which children learn has nothing to do with their starting points. Teachers are warned that any mention of children's socioeconomic disadvantages only "makes excuses" for teachers' own poor performance.

Of course, there are better and worse schools and better and worse teachers. Of course, some disadvantaged children excel more than others. But NCLB has turned these obvious truths into the fantasy that teachers can wipe out socioeconomic differences among children simply by trying harder.

Denouncing schools as the chief cause of American inequality—in academic achievement, thus in the labor mar-

NCLB INSISTS THAT TEACHERS CAN WIPE OUT SOCIOECONOMIC DIFFERENCES AMONG CHILDREN SIMPLY BY TRYING HARDER.

ket, and thus in life generally—stimulates cynicism among teachers who are expected to act on a theory they know to be false. Many dedicated and talented teachers are abandoning education; they may have achieved exceptional results with disadvantaged children, but with NCLB's bar set so impossibly high, even these are labeled failures.

The continuation of NCLB's rhetoric will also erode support for public education. Educators publicly vow they can eliminate achievement gaps, but they will inevitably fall short. The reasonable conclusion can only be that public education is hopelessly incompetent.

"FIXING" NCLB

Few policy-makers have publicly acknowledged NCLB's demise. Instead, they talk of fixing it. Some want to credit schools for student growth from year to year, rather than for reaching arbitrary proficiency levels. Clearly, adequate progress from different starting points leads to different ending points, but growth-model advocates can't bring themselves to drop the universal-proficiency goal. Doing so would imply lower expectations, on average, for disadvantaged children—too much for unsophisticated policy discussion to swallow. Consequently, the "fix" is incoherent.

Growth models have even larger error margins than single-year test results because they rely on two unreliable scores (last year's and this year's), not one. And accountability for math and reading growth retains the incentives to abandon non-tested subjects and skills. So some NCLB loyalists now propose accountability for "multiple measures," such as graduation rates. But presently quantifiable skills are too few to minimize goal distortion—the federal government is unprepared to monitor, for instance, whether students express good citizenship. Further, any mention of diluting a math and reading focus elicits the wrath of "basics" fundamentalists, such as the president and his secretary of education.

Although NCLB will not be reauthorized, the underlying Elementary and Secondary Education Act (ESEA), with funding for schools serving low-income children, will continue. NCLB will remain on the books, increasingly ignored. Virtually every school with minority, low-income, or immigrant children will be labeled a failure; the federal government will be hard-pressed to punish all. Eventually, under a new administration, ESEA will be renewed, perhaps including vague incantations that states establish their own accountability policies, once Washington abandons the field.

States will do so. Some, not having learned NCLB's lessons, will retain the distortions and corruption that NCLB established. Others, more creative, will use qualitative as well as quantitative standards, relying on school inspections as well as test scores.

Renouncing federal micromanagement will require liberals to abandon a cherished myth: that only the federal government can protect disadvantaged minorities from Southern states' indifference. The myth is rooted in an isolated fact: In the two decades following *Brown v. Board of Education*, the federal government forced states to respect rights not only of African Americans but of disabled and immigrant children.

But at other times, the federal government has been no defender of the oppressed. In the early 20th century, state governments enacted minimum-wage, health, and safety laws, only to see them struck down by the Supreme Court. Today, Southern states' attempts to improve education are often impeded by federal policy. Only last year, school integration efforts of Louisville, Kentucky, were prohibited by federal courts, while federal administrative agencies block efforts at integration and affirmative action. In recent decades, states like North Carolina and Texas have been innovators in school improvement. North and South Carolina and Arkansas have had nationally known "education governors" (Jim Hunt, Richard Riley, and Bill Clinton). The greatest potential for greater education improvement in the South lies in boosting African American voting participation, not more federal mandates.

WHAT THE NEXT PRESIDENT CAN DO

With the federal government proven incapable of micromanaging the nation's 100,000 schools, what education roles remain for a new administration? There are two.

One is to provide information about student performance, not for accountability but to guide state policy. NAEP should be improved. Now given regularly at the state level only in math and reading, such coverage should expand to include history, civics, and the sciences, as well as art, music, and physical education. For example, NAEP could provide state-by-state data on physical education by sampling students' body mass index numbers and upper body strength, characteristics for which standardized tools are available.

When NAEP was first designed in the 1960s, it included important elements that were soon abandoned under cost pressures. While employing paper-and-pencil tests, early NAEP also dispatched field assessors to observe, for example, how young children solved problems in cooperative groups. NAEP assessed representative samples of adolescents, whether in or

out of school, as well as of young adults in their mid-20s. Assessors tracked down 17-year-olds and young adults, administering tests to determine if their schooling had lasting impact.

A dramatic expansion of NAEP, covering multiple skills and out-of-school samples, with state-level reporting, would be expensive, multiplying by several times the current NAEP budget of \$90 million. But this would only slightly increase the roughly \$45 billion in federal funds now supplementing state and local school spending. Provision of state-by-state data on a balanced set of outcomes should be a federal responsibility.

The other new federal role should be fiscal equalization. New Jersey now spends about \$14,000 per pupil, more than twice what Mississippi spends. Adjusting for the dollar's purchasing power still leaves New Jersey spending 65 percent more than Mississippi.

This cannot be attributed to New Jersey caring more about children than Mississippi. New Jersey's fiscal capacity, its per capita personal income, is over 70 percent greater than Mississippi's. And Mississippi's needs are greater: 10 percent of New Jersey's children live in poverty, compared to Mississippi's 29 percent. Again, after adjusting for the value of the dollar, Mississippi still faces greater educational challenges, with less ability to meet them.

Washington now exacerbates these inequalities. Federal school aid—ESEA aid to districts serving poor children—is proportional to states' own spending. So New Jersey, which needs less aid, gets more aid per poor pupil than Mississippi, which needs more.

It will be politically tough for a Democratic Congress and administration to fix this, because sensible redistribution, with aid given to states in proportion to need, and in inverse proportion to capacity, will take tax revenues from states like New Jersey (which sends liberal Democrats to Congress), and direct them to states like Mississippi (which sends conservative Republicans). Funding equalization requires political courage not typically found in either Washington party. There's a role here for presidential leadership.

Narrowing huge fiscal disparities will take time. Whether the next Democratic Congress and administration—if they are Democratic—take the first steps will test whether the party is truly committed to leaving no child behind.

Abandoning federal micromanagement of education has a hidden benefit: helping to reinvigorate American democracy in an age of increasingly anomic and media-driven politics. Local school boards in the nation's nearly 15,000 school districts (but not in the biggest cities) can still provide an opportunity for meaningful citizen participation. Debating and deciding the goals of education for a community's children is a unique American privilege and responsibility. Restoring it is a mission worthy of a new administration. **TAP**

Richard Rothstein (riroth@epi.org), a Prospect senior correspondent, is a research associate of the Economic Policy Institute and the author of *Class and Schools: Using Social, Economic, and Educational Reform to Close the Black-White Achievement Gap*.

Culture & Books

"After her diagnosis, the hunger [for truth] remained, but it was life and not truth that she was desperate for."

— PAGE 59



BOOKS

MICHAEL'S POOR ALMANAC

How Michael Barone made The Almanac of American Politics irrelevant

BY MARK SCHMITT

THE ALMANAC OF AMERICAN POLITICS is not the only brick-heavy biennial profile of members of Congress, their districts, and their voting records. Congressional Quarterly's competing volume, *Politics in America*, has its merits, but the *Almanac* has always been what reporters scan before

interviewing a member of Congress. The reason is simple: Any such book is written by committee, but the *Almanac* reads like it's not. Its distinctive selling point is an attitude and voice.

Since the very first *Almanac*, published in 1971 on the cusp of an ideological and generational shift in Congress, its pre-

eminent voice has been that of Michael Barone, now a fellow at the American Enterprise Institute. In credits that suggest a Hollywood agent's negotiation, Barone is the "Author" of the new 2008 edition, although he is also credited with the introduction and several other short sections, while a single "Co-Author" (Richard E. Cohen), an "Editor" (Charles Mahtesian), and various writers and researchers are credited as well.

In a series of retrospective comments on previous *Almanacs*, published online in 2003, Barone admits that the readers he first had in mind were "teenage boys, the kind who are often dismissed as nerds." (The author's note in the 1974 *Almanac*, when Barone was a long-haired 29-year-old, declares that "for almost twenty years he has been a close student of political and demographic data.") Much like that other feast for adolescent monomaniacs that came out of the 1970s, *Bill James Baseball Abstract*, behind the reams of data in the *Almanac* lies both a theory of the game and an ideal player. The original theory was that, to quote the 1974 preface, "much can hinge on the politics, the beliefs, and the idiosyncrasies of 535 people." The ground truths of American politics would be found in the complicated, pluralistic zone where congressional districts and states—seen through their ethnic makeup, economic circumstances, and local political traditions—intersected with individual political actors, who would then bring those roots, along with their own personalities and skills, into the grand institutional theaters of Congress.

How much is omitted from such a definition of "American Politics"? The presidency gets five pages out of 1,800 in the current edition. State legislatures get no notice except to the extent that their partisan breakdown affects congressional redistricting. Interest groups and

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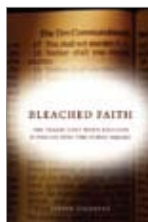
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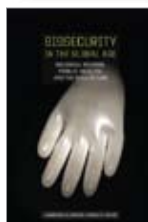
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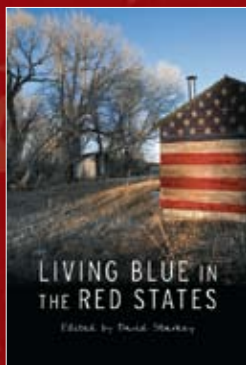
organized constituencies serve only the purpose of the perennial chart showing each member's vote score. Even Congress' committees and caucuses get little attention.

But this narrow angle has one great advantage: By assuming that the most relevant fact about a member of Congress is the place he or she comes from, it allows for a profile of politics that it is about the nation, not Washington. The *Almanac's* beautifully crafted descriptions of dying Rust Belt cities and new suburbs are not for political junkies or teenagers alone. At their best, they are reminiscent of John Gunther's 1947 masterpiece, *Inside U.S.A.*

The *Almanac's* focus on 535 individuals marks it as a product, much like C-SPAN, of the transformation of Congress in the early 1970s. Before 1970, most members of Congress were irrelevant as individuals, dutiful pawns in a game run by a few elderly committee chairs. But with the growth of government (enabling members to acquire clout by becoming experts or public advocates on technical subjects), the breakdown of the seniority system, and the challenge to executive power prompted by Vietnam and Watergate, the opportunity emerged for members of Congress to operate as legislative entrepreneurs, using political skill and brainpower to push their own ideas.

The early *Almanac* chronicled this opening up of the legislative branch, and its ideal type in the early years was a workhorse Democratic reformer from the Class of 1974 or thereabouts who mastered an issue and made the most of that opening: members like Les Aspin of Wisconsin, Tom Downey of Long Island, or Mike Synar of Oklahoma. Through skill and diligence, all were able to hold on to conservative districts without compromising their commitment to controversial national policies. Members who seemed to play more to the cameras or to liberal interest groups earned unadulterated scorn: An early 1980s *Almanac* profile of Rep. Ed Markey of Massachusetts charged that he was "more a direct mail entrepreneur than a legislator."

Over the later 1970s and into the 1980s, the *Almanac* reflected the new



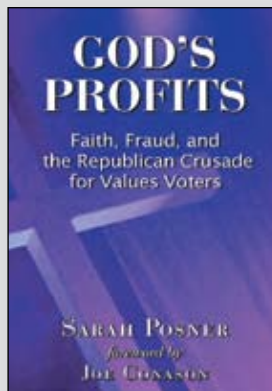
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appreciation that political scientists were showing to old-style political machines, lavishly praising Tip O'Neill, Dan Rostenkowski, and others who came out of such machines to achieve work of national significance. The *Almanac* compared Rep. Peter Rodino of Newark, New Jersey, for example, to Abraham Lincoln and Franklin D. Roosevelt for his work as chair of the Judiciary Committee during the Nixon impeachment.

The *Almanac's* profiles of the early Republican revolutionaries—Newt Gingrich, Bob Walker, Vin Weber—were admiring and enlightening. At a time when many dismissed them as irrelevant hotheads, Barone treated them correctly as the equals in skill of Downey or Rostenkowski. In 1987, Barone described Gingrich as “something of an American Gaullist,” a prescient insight given that Gingrich has spent 2007 encouraging Republicans to emulate the neo-Gaullist French president Nicolas Sarkozy.

Barone's recognition of Gingrich's skills, and his own abrupt move to the political right, culminated in the most extravagant of all his introductions, bearing a title and crazy wrong brilliance worthy of Gingrich himself: “The Restoration of the Constitutional Order and the Return to Tocquevillian America.” In 23 dense pages, Barone argued that the 1994 election had “settled the argument” between New Deal historians like Arthur Schlesinger Jr. who believed that politics turned on economic questions, and those who believed it was a high-stakes “cultural war ... in which propagators of liberal values have used government to impose them in every segment of American life.” Not only was the interpretive argument settled but so was the culture war itself: Americans had rejected once and for all the “educated elite” and their weak “culture of caregiving.” Barone in 2003 admitted that his post-1994 introduction had failed to foresee President Clinton's electoral recovery, but said it was still “in some ways my favorite.” And mine as well, because just as the early *Almanacs* reflected the temper of that first great turn in the modern Congress, this one is very much a document of the second turn, with all its vicious hubris.

Since the mid-1990s, three developments have challenged the *Almanac's* relevance. First, much of the information that was once available nowhere else is now a Google search away. The challenge for the *Almanac* is now to prioritize information rather than gather it.

Second, politics in many respects is less granular than it used to be. In an era of strong and ideological political parties and the restoration of the imperial presidency, the “beliefs and idiosyncrasies” of 535 people don't seem quite as important as they once did. Tom DeLay reinstated within his party the rule of

loving people in the world. They ushered in an era when the political opposition and much of the press have sought not just to defeat administrations but to delegitimize them.” In another column he wrote that “this project has been ongoing for more than 30 years. Richard Nixon, by obstructing investigation of the Watergate burglary, unwittingly colluded in the successful attempt to besmirch his administration.”

Thus the man who in the 1974 *Almanac* called Nixon “the politician who presided over the most lawless presidential campaign in American history,” now sees

The self-immolation of Tom DeLay is passed over lightly. And how does Barone handle the Democratic takeover of 2006? He doesn't even try.

“go along to get along,” attributed to an earlier Texan, Sam Rayburn. There is remarkably little payoff in learning the precise differences in temperament and background among Jeb Hensarling, Thelma Drake, Louie Gohmert, and Phil Gingrey—all Republicans with carbon-copy voting records. And the districts they represent are less likely to embody distinct communities than they once did. As in past volumes, many write-ups in the current *Almanac* begin with a vivid rendering of, say, Jacksonville or Austin, only to admit a few sentences later that the actual district contains only parts of that city, plus a narrow strip of counties extending hundreds of miles out. Sophisticated redistricting schemes have surely reduced the significance of place in congressional politics.

Third, Barone's political evolution didn't stop at Gingrich—he just kept going, so that he now occupies the rightmost corner even in his current haunts at AEI and Fox News. It's a strange kind of conservatism, which seems based largely on the conviction that liberals are soft and stupid. Barone also seems to be consciously rejecting everything about his younger self. A year ago he wrote that critical press coverage of Vietnam and Watergate had led to “defeats for America—and for millions of freedom-

Nixon simply as a victim, like Bush, of liberal vitriol and a long campaign to delegitimize conservative rule and the presidency itself.

More significant for the *Almanac*, Barone has come to embrace a strict dualist view of the world. Starting in the early 1990s, his introductions have been built around either/or paradigms: the culture war between educated elites and “Tocquevillian America” in the 1996 book, and an incoherent distinction between “crunchy” and “soggy” policies and politicians in 2000. In 2004, he authored an entire book, *Hard and Soft America*, in which various books, ideas, policies, and politicians are classified as either “Hard” (good) or “Soft” (bad). The world of Theodore Dreiser's novels is admirably Hard, John Dewey's theories of education are Soft. Social Security: Soft. Rudy Giuliani: Hard. Intellectuals: Soft. Most baby boomers: Soft. But George W. Bush: “a consistent advocate of Hardness.” And the ultimate in Hardness: “our amazing victories in Afghanistan and Iraq.”

The early *Almanacs* were a celebration of America's pluralism, its 535 idiosyncratic legislators and 50 governors, and the magnificent fluidity of a democracy in which the products of narrow political machines could settle a constitutional crisis. But what place is there for

such pluralism in a world of Hard and Soft, Crunchy and Soggy? If everything is darkness or light, what's the use of an *Almanac of American Politics*? What do you really need besides an up-to-date Enemies List?

For the most part, though, these Manichean views do not poison the individual profiles that make up the bulk of the current *Almanac*—perhaps a hint that Barone should be considered the “author” of only the sections on which he is specifically credited. The profiles are mostly respectful. Gone is the straight-talking contempt of, say, the old Markey profile, but gone also is the unalloyed hero-worship of certain smart and effective legislators. There are occasional hints of Barone's hand in the odd use of a passive, victimized voice to describe certain Republicans embroiled in scandal: A defeated Rep. Richard Pombo's troubles are attributed only to “a withering assault” from environmental groups rather than his own shameless corruption. The self-immolation of Tom DeLay's machine, the most transformative rise and fall in recent congressional history, is passed over lightly. Perhaps, like Nixon, DeLay unwittingly colluded with his enemies!

And what about Barone's own part of the book? His ideological journey made him an appropriate and sympathetic guide to the turns of both 1974 and 1994, so how has he handled the third great turn, the Democratic takeover of 2006? He doesn't even try. We are entering “a period of open-field politics,” he predicts, “when there are no permanent alliances ... when voters wander about the field, attaching themselves to one band, then another, with no clear lines of battle and no landmarks.” In 11 diffident pages—less than half his usual length—he posits several vaguely plausible scenarios for the years ahead and offers a rambling meditation on Speaker Nancy Pelosi. I won't try to argue with his prediction that “there may be surprises to come,” but is that an insight worth the *Almanac's* \$75 price tag?

We are surely at a hinge point in American politics, much like that of 1974. The airtight Republican system has self-destructed; what sort of Repub-

lican Party survives Bush is an open question. As in the 1970s, there is likely to again be an opportunity for individual members of Congress to transcend the institution and make change, but the system is also open in all sorts of new ways. The new activists of the Internet will make a difference, as will stronger political parties. States and their legislators may be the prime movers of the new politics. In this context, a view of American politics focused entirely on 535 individuals seems out of place. With

Barone having spent, by my calculation, 53 years as “a close student of political and demographic data,” perhaps it's time for the editors of the *Almanac* to think from scratch: What sort of guide would most help the nerdy boys and girls of 2009 understand and appreciate American politics? It is likely to be something altogether different from *The Almanac of American Politics*. **TAP**

Mark Schmitt is a senior fellow at the New America Foundation.

BOOKS

DYING DID NOT BECOME HER

SWIMMING IN A SEA OF DEATH: A SON'S MEMOIR BY DAVID RIEFF

Simon and Schuster, 192 pages, \$21.00

BY MARK GREIF

WESTERN THOUGHT RECORDS a long tradition of morbid interest in how philosophers met their deaths. Memorials, testimonies, and whole Platonic dialogues have been devoted to great thinkers' final hours. That's because, historically, the ability to face mortality with perfect equanimity, and fearlessly hold onto values higher than those of daily life, was considered the greatest part of wisdom. “And is not philosophy a practice of death?” Socrates asked in the *Phaedo*. It was, of course, a rhetorical question: Socrates drank his hemlock, calmed his disciples, and earned the amazement of posterity—his death demonstrating how great a philosopher he was. Epicurus, who famously preached the doctrine that death must hold no fear because no person persists past death to suffer from it, proved his consistency by dying happily, drinking wine in a warm bath.

In modern times, too, philosophers' deaths have had great significance—like that of David Hume, a notorious atheist. Christians across Europe prayed that he would be terrified into a deathbed conversion or betray some tiny hope for immortality. After visiting him in his final hours, however, the famous biogra-

pher James Boswell testified that Hume remained wholly consistent to the end, jolly and godless to his last breaths.

In light of this history, David Rieff's slim new memoir of the death of his mother, Susan Sontag, has significance apart from its contributions to two contemporary popular genres, the end-of-life narrative and the personal reflection on the death of a parent. Sontag will be remembered as a philosopher. Rieff chose to bury her in Paris' Montparnasse cemetery, steps from Simone de Beauvoir, and in the posthumous company of Jean-Paul Sartre, Emile Cioran, and Raymond Aron.

Yet Sontag was clearly the philosopher of a later era even than that of the existentialists—the late 1960s and 1970s—a time ruled by “radical will” (to allude to one of her book titles) and the attachment to “erotics of art” and life (to draw on one of her most celebrated phrases). And she lived and wrote into our own time at the opening of the 21st century, when it seems modern medicine can do everything to cheat death—when, as Rieff says, our “logic ... is that death is somehow a mistake, and that someday that mistake will be rectified.”

Sontag had been diagnosed with can-

cer twice before her final illness. In 1975, at the age of 42, she underwent a radical mastectomy and managed to survive the most extreme therapies then in use for breast cancer. In 1998, while completing her National Book Award–winning novel *In America*, she developed a uterine sarcoma, urinating blood while she pushed through to the end of her book before seeking treatment. But the chemotherapy seems to have encouraged a further blood cancer identified in 2004, when she was 70—a final condition she had almost no chance of surviving.

The two years she fought this illness, as Rieff documents them, had no aspect of either acceptance or equanimity. In a deeply respectful, private, and reserved account of Sontag's dying, Rieff is intellectually and emotionally preoccupied by his mother's need for life at any cost, her uncritical worship of medicine, and his own responsibility for the deceptive hopes that she required and coerced from those who loved her. He beautifully states the central paradox of this philosophical memoir: "My mother had always thought of herself as someone whose hunger for truth was absolute. After her diagnosis, the hunger remained, but it was life and not truth that she was desperate for." With access to the most heroic and most expensive but likely futile care, Sontag went from research into therapies at Memorial Sloan-Kettering in New York City to an extremely chancy blood marrow transplant in Seattle—which failed. She surrounded herself with friends so that she was never left alone, set her research assistant to poring over Internet documents on the illness, and called her friend Dr. Jerome Groopman and her doctor at Sloan-Kettering for boosts of hope, if only in the form of some tiny prospect of a cure, while rejecting all other forms of comfort.

Most of Rieff's questions revolve around a single moral conflict. In the name of truth and reason, which Sontag worshipped, should the son have forced his mother's real odds upon her? Could it

have brought her resignation and peace, to accept that she would not escape death? The answer so clearly seems to be "no," and Rieff is so explicit about his mother's need to remain hopeful, that it doesn't come across as a problem for anyone but himself. He was a good



case, it gets put on hold. Rieff is known for his writing about humanitarian failures in parts of the world roiled with conflict. His mother's diagnosis coincided with his return from the West Bank; the opportunity to receive the best care, extended life, and a constant renewal of hope simply does not exist in such places. Before Sontag undergoes the bone marrow transplant in Seattle, arranged by her doctors in New York, Rieff tells us of the pain and difficulty of the procedure, and also of the necessity to get marrow from either a sibling or a donor who is a stranger. We have to presume that a stranger must have been the source, but Rieff doesn't ask who it was or what the pathways are that allow heroic medicine only for a few—even when, for a 70-year-old, statistics suggest the transplant is unlikely to work, and might better go to someone else.

Must one ask whether 70 years are enough to live? The only sane answer is, of course, "no": not when it is for yourself, not when it is for your own mother. This would be too much to require of

In the name of truth and reason, which Sontag worshipped, should the son have forced his mother's real odds upon her? Clearly, the answer is "no."

son. But the situation made him a kind of unwilling defense lawyer, launching spurious arguments against a death sentence he knew could not be evaded. The experience haunts him—along with his family's inability to get out of the traps of words and ideas and arguments, into any immediate affection. "Thinking back," he writes of their first confrontation with her diagnosis, "I wish I'd hugged her close or held her hand." This was not what she wanted or would allow, however. At her moment of death, Sontag held her physician's hand.

What, one wonders, happens to philosophy in the face of heroic medical intervention? In Rieff's book, and in Sontag's

anyone. Yet Rieff gives us enough material to think through profound questions for ourselves, and to relate Sontag's life path to her lifelong work. Both Sontag and her most important 1960s writings were avid for life, hungry for this world. Writing sociologically, Rieff acknowledges the "me, Me, ME" stance of other Americans of the baby boom generation. His memoir helps us to connect the dots between the utopian hopes of the 1960s and the utopian medicine of the 21st century, confirming Sontag's character as a thinker of our time. **TAP**

Mark Greif is co-editor of the journal *n+1*.

Pronouncing Our Own Doom

BY THOMAS GEOGHEGAN

ONE FINE DAY, A CANDIDATE FOR PRESIDENT MAY say the country's goal should be to have only the world's second-highest prison rate, and let Russia or China be No. 1. In terms of incarceration, the U.S. leads the world. The U.S. has a prison rate of 750 prisoners

per 100,000 citizens. Russia, in second place, has a rate of only 628 per 100,000. The world average is a pitiful 166 per 100,000.

It's no coincidence that in both the U.S. and Russia, prison is a hot spot for epidemics. In October, a Virginia teen died from MRSA, a staph infection that has been raging in jails and prisons. Even the nice kids are getting sick. In Chicago, my city, MRSA has been percolating for years in the county jail, where we lock up over 110,000 people every year, men piled on top of men.

The current MRSA is pretty gruesome: First come boils, and then it starts to eat the flesh. And the current epidemic came in major part from the overcrowding of U.S. jails and prisons, just as drug-resistant TB comes out of the lock-ups in Russia. MRSA is an epidemic that has spilled not just out of Chicago jails, but out of those of Los Angeles, Dallas, and elsewhere, according to Dr. Robert Daum, a specialist in what he calls the "pandemic." The *Chicago Tribune* has run stories; so has the *Chicago Reader*. But far from being alarmed, the county board has actually cut medical staff at the county jail.

Recently, Sen. Jim Webb of Virginia convened a hearing on the alarming size of the U.S. prison rate. Since the hearing was being held by the Joint Economic Committee, its pretext was the economic cost—\$200 billion a year. But Webb, not just a senator but a writer, a novelist,

might have been doing what more writers in America should be doing—raising our astonishing rate of imprisonment as a moral concern. Indeed, why is it not a bigger moral issue, even with writers on the left? About 2.1 million Americans are now in prison. Perhaps up to another 5 million are under supervision such as parole or probation.

The people in our prisons are often guilty of no violent crime. "In 2005," Webb said, "four out of five drug arrests were for possession, and only one out of five for sales." Even in the case of sales, Webb said, most of those who end up in prison have only a "slight" history of ever selling drugs at all.

It's strange that the incarceration rate is not as big an issue in the U.S. now as it was in Dostoevsky's Russia, not to mention Dickens' England. It's strange, because the numbers are so much bigger. For locking up people, the U.S. has a capacity that is unmatched in the history of the world. Putin's Russia cannot spend the \$200 billion

we can to run our prisons every year.

But even the left seems fairly complacent about the prison rate. If anything, progressives like the fact that we are so quick to prosecute and lock up CEOs and cronies of George Bush's in prison. People are delighted when Paris Hilton or Lindsay Lohan goes to jail. When there was a chance that Karl Rove might be indicted, my friends were planning parties—literally. Why celebrate Karl Rove or anyone else going to prison? It's hard to think of any greater tragedy in life than to be locked up in a prison. Certainly we have monsters that we have to get off the streets. But as a liberal, I take no pleasure when the rich and Republican go to jail. For one thing it's just another sad proof that the New Deal regulatory state has collapsed. We have to use criminal law to stop what our now deregulated civil administrative law used to stop.

But why not rejoice if Scooter Libby or Karl Rove goes to prison? It's because one day I may be sitting next to Libby on a plane, and I don't want to end up with any drug-resistant tuberculosis. Dickens pointed out the problem long ago: "But the gaol was a vile place ... where dire diseases were bred, that came into court with the prisoners, and sometimes rushed straight from the dock at my Lord Chief Justice himself, and pulled him off the bench. It had more than once happened, that the judge in the black cap pronounced his own

doom as certainly as the prisoner's, and even died before him."

Dickens was right: Already people are getting sick. As we put more nonviolent people into prison, we may be pronouncing our own doom. **TAP**



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